

WORKING DOCUMENT

**FOCUS GROUPS ON
LEGAL EDUCATION AND
INFORMATION NEEDS**

**Prepared for the
Department of Justice Canada
by Gallup Canada Inc.**

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The views expressed herein are solely those of the author and do not
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EXECUTIVE SUMMARY

- ♦ Awareness of the impact and importance of the law in everyday life was quite high among the participants in these focus groups. The level of awareness of different aspects of the law varied among the focus groups, depending on participants' range of personal experiences.
- ♦ While there was general agreement that knowing more about the law could help one ensure one's rights or get what one deserves, in reality legal knowledge was gained through word of mouth and personal experience – the "school of hard knocks".
- ♦ Legal knowledge tended to be episodic and perhaps inaccurate, with little understanding of the structure and process of the law.
- ♦ Friends, relatives and social intermediaries already known to the respondents were the most likely sources of any legal information or referrals.
- ♦ Awareness of existing public legal education and information sources was very low among these group participants. Name awareness was almost non-existent. As a result, an individual with a problem was likely to experience a considerable number of referrals before reaching a specialized legal information or advocacy body.
- ♦ Advocacy would generally be preferred over information, and case-specific information would be preferred over general knowledge.
- ♦ Access to PLEI facilities, once they were known, was also an issue. Social mediators suggested, and participants in many groups corroborated the fact, that the disadvantaged often move in a very limited geographic area. Language difficulties, financial hardship, and apprehensiveness about those outside one's ethnic or minority group could put a single office in a downtown location beyond the reach of many.
- ♦ Many individuals and groups of individuals had a cynical view of the administration of justice. Canadian laws as they are written were perceived to be fair, but the means by which those laws are applied was felt to be flawed.

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- ♦ Most individuals in these groups with personal experience were intimidated and disenchanted by the judicial process. Even among law-abiding elderly francophones and single working mothers, lawyers and judges were perceived to be at best, out-of-touch with society and at worst, corrupt.
 - ♦ While lawyers received a good deal of criticism and were regarded as difficult to deal with, for many they were the panacea for any legal problem.
 - ♦ Many group participants had not recognized the benefits of gaining legal information oneself, even if the case would eventually be turned over to a lawyer.
 - ♦ While most group participants thought that the law treated average Canadians fairly, very few saw themselves as average. Most did not feel that "everyone is equal before the law". Money was seen to be a guarantee of better treatment before the law. Even well-to-do members of the minority groups were thought to be subject to differences in the administration of justice, compared to themselves.

I. INTRODUCTION

A. STUDY OBJECTIVES AND METHODOLOGY

Background

A program evaluation carried out by the Department of Justice in 1988 underscored the Department's responsibility to inform the public about laws prepared as part of the Department's legislative mandate, and its responsibility to insure equality of access to such information. It confirmed the public's effective demand for legal education and information so as to warrant continued funding of the program. A number of policy considerations were raised:

- ♦ the information needs of the general public, and in particular, of specific disadvantaged sectors of the population;
- ♦ the identification of disadvantaged groups;
- ♦ a determination of departmental priorities for addressing the general public's needs and those of specific disadvantaged groups; and
- ♦ and identification of the specific areas of law which should be designated priorities in respect of the PLEI program.

The proposed study was intended to address some of these information needs. The Department required greater subjective data on the legal information requirements of individual Canadians, the various and appropriate means to meet these

information requirements and the identification of prevailing barriers preventing the provision of such information.

Study Objectives

The broad analytical questions which were identified by the Department were:

1. Are respondents aware of the prevalence of law in the conduct of their everyday lives, and how do they view this state of affairs?
2. Do respondents give general merit to the concept of being legally knowledgeable?
3. Is compliance with the law a fundamental value among all groups and for all circumstances?
4. Is the concept of legal information understood and used in the course of everyday life?
5. Do respondents know of public organizations that provide legal information?
6. About what everyday events do respondents have a legal knowledge and how easily did they obtain such information?
7. Does legal knowledge foster respect for the law or deter law-breaking?

Methodology

A series of ten focus groups, conducted in five different cities across Canada, were designed to gain knowledge of six different sectors of the population: youth, the elderly, the poor, urban aboriginal people, members of visible minorities, and immigrant women. One group was conducted with social intermediaries – social workers, teachers, counsellors and so on – who worked with disadvantaged clients.

All ten groups were carried out in centrally-located, professional focus group facilities. The locations and dates of the groups were as follows:

Toronto	- February 26, 1990	- Immigrant Women and Visible Minority (Chinese)
Halifax	- February 27, 1990	- Youths and Non-Working Canadians below the poverty line
Winnipeg	- March 1, 1990	- Urban Aboriginal People and Social Intermediaries
Montreal	- March 1, 1990	- Visible Minority (Blacks) and Elderly Francophones
Vancouver	- March 7, 1990	- Urban Aboriginal People and Urban Single Working Women

As the research plan was being developed, the Department of the Attorney General of British Columbia also expressed interest in conducting a similar study. As a result, two additional focus groups were held in Kamloops, British Columbia, on March 6, 1990, with working women and native people, respectively. These eleventh and twelfth groups followed the same discussion guide, and their results

are included in our overall conclusions. More detailed descriptions of the Kamloops discussions are also included here and can stand alone.

In all, 110 individuals participated in the focus groups. Three groups had been specified to comprise only women - women immigrants in Toronto, working poor women in Vancouver, and in Kamloops. The remaining nine groups contained 81 participants, of which 34 were male and 47 were female. A detailed breakdown of each group by sex is shown in Appendix D.

B. A NOTE ON THE NATURE OF QUALITATIVE RESEARCH DATA

The findings presented in this report reflect the opinions, attitudes and experiences of a relatively small number of Canadians. The groups were composed of individuals from many different backgrounds (youth, seniors, native people, immigrants, single working women, visible minorities, the poor and social intermediaries) and were spread across six urban centres. Because of the small sample size, because participants were not recruited to be a random representation of their communities and because attendance at a focus group can introduce a selection bias, the findings cannot be assumed to be statistically representative of the population as a whole.

Qualitative research such as this is designed to provide hypotheses, ideas and insights into respondents' motivations. It provides an in-depth view of complex problems in a less structured environment than a quantitative opinion survey.

C. OVERVIEW OF THE THEORETICAL APPROACH

Exhibit A shows the underlying theoretical model which was used to frame and interpret the research problem. It outlines some of the social and experiential factors which affect an individual's approach to legal information, and their use or avoidance of the legal system. Every individual is postulated to possess a certain level of education, language facility, financial resources, "mainstream" cultural integration and so on. In addition to these and other personal/social factors, individuals experience a greater or lesser amount of contact with social, political and legal institutions.

Together, social and experiential factors can create barriers to legal information access. Examples of internal barriers created through social context are shown: lack of confidence in personal abilities, a perception of remoteness or complexity of the legal system and so on. Other conditions may be considered external barriers to access: lack of knowledge of sources of information, for example, or the actual complexity of legal material.

The consequences of poorly equipped individuals attempting to navigate in an increasingly complex and regulated society are threefold. Individuals may never become aware of legal means to address a problem which confronts them, they may have some knowledge but nevertheless abandon any legal means to address their problem, or they may attempt to use the existing legal support system and fail to resolve the problem.

Proceeding from this theoretical framework, a detailed moderator's guide was prepared in conjunction with the Department of Justice, which incorporated a review of recent research and literature on public legal information issues. A

number of these papers were graciously provided by the library of the Canadian Law Information Council. Mr. Phil Knight and Mr. Rick McCormick also provided information about PLEI programs in their areas and thoughtful commentary about this project.

D. ORGANIZATION OF THE REPORT

Chapter II provides a summary of the main observations and conclusions arising from analysis of all the focus groups held. It addresses the key research questions already outlined and makes some observations about existing public legal education programs.

More detailed summaries of the discussions in each of the 12 focus groups are contained in Chapter III. These synopses provide more detailed observations, including many verbatim comments from participants.

The base moderator's guide, including additional questions unique to each target group and a modified version for the social intermediaries group, along with recruiting specifications, are included in the Appendices to this report.

II. SUMMARY OF MAIN OBSERVATIONS AND CONCLUSIONS

During the course of this study, over 100 individuals were asked to provide their personal viewpoints about "The Law in Everyday Life". This summary will highlight the key points raised by participants and draw together patterns of responses, where they occurred, across all twelve focus groups. Since the groups represented at least six different "target groups" of citizens who are potentially disadvantaged in legal dealings, there was a great diversity of opinion on some points. Thus, the differences among groups will also be highlighted where appropriate.

Groups were by no means homogenous. In every group, there was some variety of experience and viewpoints which may not be captured in an overview. More detail about differences within each group are reported in Chapter III.

A. PERVASIVENESS OF THE LAW

A good part of the indirect questioning used in the group discussions was aimed at discovering participants' legal "frame of reference". Most of the respondents in most of the groups had a reasonable understanding of the pervasiveness of the law in modern life. This arose from their diverse personal circumstances. For example, for the Chinese, blacks and immigrant women, "the law" referred mainly to government regulation. Many had dealt with government bureaucracies about their immigration status, for unemployment, social benefits, student loans and so on. Many of the single working women thought mainly in terms of family law and social welfare regulations which they had become aware of when they experienced marriage breakdown. Natives in both Winnipeg and Vancouver had extensive personal and second-hand experience with criminal law. The individuals with the

lowest awareness of the impact of the law on their lives were the teenagers interviewed in Halifax and the elderly francophones in Montreal.

The perception of the law as a benign force, rather than an oppressive one, seemed to be closely related to the amount of experience respondents had with the police and criminal law. Thus, the teenagers, natives and those under the poverty line were much more likely than the immigrants to feel that the law was something to stay away from, because it could "trip you up". While the single working women did not fear the law in the same way that natives appeared to, they also mistrusted it. Many of the women rejected the suggestion that the law is "there to help people get what they deserve", citing injustices in family law or in dispensing of social welfare benefits.

Aboriginal people, particularly the working-class urban natives, seemed most likely to feel that the law would actually intrude on their daily lives. At the other end of the spectrum, the seniors in the Montreal focus group seemed almost blissfully unconcerned about the law in their day-to-day lives.

By and large, participants in these discussions had a broad view of what constituted the law. All cited numerous areas of the law, including family law, employment standards, landlord and tenant law, and human rights. Consumer rights and criminal law were less frequently mentioned, but rights to public services and support from the income security system were often raised. In many of the groups, examples of minor regulations and government bureaucracy were cited as examples of "the law", before they were specifically probed by the moderator.

B. LEGAL INFORMATION IN EVERYDAY LIFE

The amount of knowledge which group participants had about specific areas of the law ranged from non-existent to substantial, depending upon age, education and occasion for actual experience. There were no areas about which the majority of participants in these groups might be said to have had general knowledge. A few of the aboriginal people spoke extremely knowledgeably about traditional native rights and conflicting legal jurisdictions. One was able to quote the details of cases which had established precedents for native fishing rights. Several of the single-parent women appeared to have a detailed understanding of family maintenance laws. But most participants in these groups showed little evidence of understanding legal principles and procedures. Several remarked on the need for basic legal knowledge, but most admitted that they would be unlikely to learn about their rights in law until they were "in trouble". In all of the discussions held, there was no recognition of the general utility of legal knowledge outside of problem situations.

C. ENCOUNTERS WITH THE LEGAL SYSTEM

Over the course of the twelve focus groups, participants provided many examples of encounters with the law. These included immigration, tenancy disputes, unresolved family maintenance situations and apprehension by the police for suspected wrongdoing, among others. There were very few cases recalled in which participants had only become aware of the legal nature of a problem after the fact, that is, had failed to originally identify a legal problem. While few examples of this nature were offered, it is still likely that such situations occurred. We infer this from the rather low level of general legal knowledge, from the heavy reliance on

case-specific information gained through acquaintances, and from occasional situations inadvertently revealed by respondents.

One immigrant woman, for example, related a story of being refused an apartment because she had a child. Her perception was that this was unjust and possibly illegal. In fact, the landlord lived in the rental premises himself and, thus, had somewhat greater rights to choose a tenant. What the participant did not realize was that her previous landlord may have illegally forced her out of her apartment "because the property was being sold". The respondent was unaware of regulations about this aspect of tenants' rights.

Several participants -- a single parent, a young native man -- gave examples of submitting to questioning by the authorities (police, game wardens) and later learning that they had had the right to refuse to cooperate.

Another respondent told of a landlord renting a room to two different tenants and then offering the second tenant a windowless basement storeroom. She was incensed by the injustice of the landlord's actions but apparently unaware of housing standards that might also have been applicable.

Respondents most often identified legal implications when they already had either first-hand or indirect experience of the field. Thus, the immigrants we spoke with were less likely to correctly identify legal situations because they had less relevant life experience in Canada. The immigrants who had been in Canada for several years had learned a great deal in this regard and were now more likely to identify legal implications than they had been when first arriving.

The identification of a legal problem also seemed to be correlated to the perception of injustice for many respondents. That is, if the individual's background led him to sense that a situation was grossly unfair, then he was perhaps more likely to search for a legal element in the situation. Similarly, if the stakes were high, there appeared to be more likelihood of an individual making enquiries, discussing the problem with friends and so on. Minor acts of discrimination on the basis of race, for example, were dismissed as being "a fact of life", while dismissal from employment without just cause was likely to be followed up with greater vigour.

There was wide variation in the levels of awareness of beneficial laws or mechanisms to resolve legal problems. During the course of discussions, there were probes for awareness of bodies such as landlord and tenant advisory services, provincial Ombudsmen, the Human Rights Commission and Small Claims Courts. While some respondents were very familiar with the operation of one or two of these institutions, few appeared to be aware of all, and very few gave evidence of understanding the role of each. Small Claims Court and tenant advisory bureaus were the most frequently used but were still unknown to many group participants. The Human Rights Commission evoked the greatest name recognition, however, many participants had a vague or unrealistic view of its mandate.

Relatively few strong expressions of regret or frustration were heard about legal problems which were not adequately pursued. Either respondents were unaware of a forgone opportunity or they had accepted and rationalized their inactivity.

Some group participants appeared to be part of a "chicken-and-egg syndrome": they were so unaware of basic legal rights and remedies that they were unlikely to recognize the legal implications of some situations. And because the legal impact went unrecognized, they did not acquire any greater knowledge or awareness.

A few situations were described by group participants in which a legal course of action had been abandoned before resolution. These included a family of young adults attempting to deal with an estate after their father died in probate, and a woman who was ineligible for Legal Aid and so did not press divorce proceedings. A number of native focus group participants related stories of apparent mistreatment by the police or corrections officials, with most concluding that it "wasn't worth it" to pursue a formal complaint. While the level of acquiescence among these aboriginal people no doubt has a complex set of causes, it appeared that lack of supporting resources and a perception of bias in the complaint system were major deterrents to follow-up.

Perhaps half of all the participants in these groups had had some dealings with a lawyer. Lawyers as a whole were perceived to be allied with the complex and often frightening court system, rather than being "on the side of" the individual. Feelings often ran high as participants described helplessness, alienation or mistrust in their dealings with lawyers. While some of the ill-feeling was attributable to the perceived high level of legal fees, group participants also cited examples of stereotyping, callousness and lack of communication to clients, which compounded already strained relationships. These highly emotional negative reactions appeared to arise, in part, from unrealistic expectations on the part of respondents. Many had little understanding of the applicable laws or legal process, and saw hiring a lawyer as a panacea.

A troubling aspect of the group discussions was the frequency with which participants assumed corruption within the court system. Particularly in the groups of the poor and aboriginal people, there was widespread assumption that defense lawyers made deals not in the best interests of their clients, that lawyers "paid off" judges, and that judges could "make their own laws". Whether these allegations

were based on personal experience or information in the media, they appeared to be widely held beliefs, once voiced in the groups.

D. SOURCES OF LEGAL KNOWLEDGE

Personal or peer group experience was the main source of information about the law for the largest portion of group participants. When faced with a problem or a situation which was perceived to be unjust, most respondents' first reaction was to ask friends and relatives if they had had similar experiences. Because their information came largely from word of mouth, knowledge tended to be episodic and inaccurate, sometimes perpetuating myths with little legal basis. For example, when one participant complained of a poorly functioning shower, she was firmly advised by another that she could have repairs done and present the bill to her landlord without risk of recourse.

Some of the groups included greater numbers of participants who had experience with the police and courts. While this personal experience often resulted in strongly held opinions about the judicial system, it was not clear that participants in the judicial process had gained any generalizable legal knowledge. Most individuals described court appearances as frightening or confusing, a view strongly corroborated by the group of social mediators.

For many, in cases where the police laid charges or were asked to intervene, the police were the crucial first source of legal information. They were said to have advised for or against getting a lawyer, pressing charges and so on. Yet, the police were dismissed by most respondents as being unreliable sources of legal information. The reasons for this ranged from a perception that police knowledge

of the law was very limited, to the conviction that it was in the best interests of the police that individuals be unaware of their rights.

Awareness of the existence of legal information, assistance or advocacy services was low among the participants in these groups. When probed to ascertain information sources outside their acquaintances, most participants were vague about their options.

Many of the poor and the natives were aware of the existence of Legal Aid. It appeared that they would almost automatically turn to this service, irrespective of its suitability for the problem at hand.

The groups of immigrants (including the visible minorities) and the seniors were most confident that they would be able to find a source of information or assistance. They mentioned getting pamphlets or calling government departments. Some were aware of community information centres or had visited libraries.

Even respondents who had used legal information services often could not recall the names of the agencies or incorrectly identified them. The services were more likely to be identified by their location or by the process undergone. Thus, a woman who took a refugee friend for help when he ran out of money and was denied a work permit, described the office as "Legal Aid", although it was more likely to have been a community advocacy of some type.

Most of the services and resources suggested by participants for handling legal questions were, in fact, general counselling or referral services. Immigration counsellors, welfare social workers, Outreach counsellors, church pastors, school advocates, self-help groups for single parents and native centres were all mentioned

in lieu of specialized legal information services. As a result, it seems likely that many of the individuals in our groups would experience a lengthy process of referral and cross-referral before they reached a facility that might provide specific legal advice.

E. POTENTIAL USE OF LEGAL INFORMATION SERVICES

The capabilities of individuals to find and use a legal information service varied widely within and among the groups. The three groups of immigrants and the Vancouver working poor women had the most experience in searching for and using various government and NGO information sources. They might be expected to be the types of individuals who would make most effective use of a PLEI facility, once they were aware of it.

The poor and native groups appeared to have the greatest need for legal information and assistance, since they seemed to have more likelihood of police contact and were less able to support setbacks in housing, employment and so on. Unfortunately, individuals in these groups also seemed to be less motivated than others to make use of outside resources (other than Legal Aid).

Access to PLEI or other facilities was also an issue for many group participants. The group of social mediators corroborated observations made in other groups that the disadvantaged often move within a very limited geographic area. Since those attending the focus groups were obviously quite mobile, likely more so than many of their friends and neighbours, the problem of access can be assumed to be even more of a limitation than was expressed. Language difficulties, financial hardship and apprehensiveness about those outside one's ethnic or minority group could

mean that a single advocacy office in a distant location would be outside the reach of many.

Group participants, especially the teenagers and aboriginal people, readily admitted that they were unlikely to pay attention to legal issues unless they were "in trouble". Students could recall little of the content of their law courses, but several knew the conditions and punishments for specific infractions they were likely to encounter.

Advocacy would generally be preferred over information, and case-specific information would be preferred over general knowledge. This bias was evident from nearly all participants who had used or showed an interest in using a legal education or assistance body. One or two respondents in several of the groups (mainly the poor) recalled community lectures on legal issues, and a few had attended one. One or two participants mentioned reading general references about legal matters such as Know Your Rights. More interest was shown in specific pamphlets on welfare entitlements or unemployment insurance rights. By and large, most respondents had displayed little interest in gaining an overall understanding of the law --what might be called baseline knowledge. This predisposition to solving specific problems has implications for the level of resources that might be required to significantly improve the knowledge base of disadvantaged Canadians about the law.

After discussing their personal experiences and their lack of legal information, many group participants were surprised to hear of services such as PLEI and Dial-a-Law. The reaction among the poor in Halifax, the single mothers in Vancouver and Kamloops, and others was that the existence of these services must be much more widely advertised. Various means to publicize the services and to provide substantive legal information were suggested. Television commercials, newspaper

advertisements and mass mail drops through the schools were all seen as means to raise awareness of such a facility.

Use of existing general counsellors to make referrals was emphasized. The social intermediaries in Winnipeg, for example, expressed frustration at trying to "pick up" legal knowledge themselves and develop a network of contacts to which they could refer clients. The sources of assistance most familiar to individuals were the ones they would be likely to contact first -- even if the problem were well outside the responsibilities of that resource person.

F. CHILDREN AND THE SCHOOLS

A few of the younger participants in each had studied law as an elective subject in high school. Most did not seem to feel that the course curriculum had great applicability to the legal questions they would face in adult life. They were most likely to mention studying more abstract elements like constitutional law and the BNA Act, although some thought that the Young Offenders Act has been covered.

In fact the need for general legal knowledge was not strongly recognized among the focus group of teenagers, or among the younger participants in other groups. Among the teenagers, minimum age laws, punishments for alcohol and drug related crimes, and other specifics were known by some. This type of information seemed of most interest.

The native youths in these groups had many of the same views as the white teenagers, but had a far more polarized experience of the judicial system. Several of the adults described the police as "someone to hide from" when they were children. Other young adults, particularly those in the Winnipeg group, recounted

being stopped by police or being incarcerated overnight on numerous occasions as teenagers. Many alleged instances of unfair treatment, stereotyping, harassment, and even abuse, were given by native youths and young adults. The reaction from almost all was stoic acceptance of this state of affairs. Some research and probing with participants suggested that Indian culture, or at least recent history, emphasize dealing with one's problems oneself. According to this philosophy, public revelation of a personal problem, or revelation to a stranger, would be regarded as a loss of face. To initiate a personal or group complaint was thought by some to be "not the Indian way". To the extent that such beliefs exist at a conscious or unconscious level, they pose a significant barrier to effective use of PLEI initiatives and the legal system as a whole.

G. RESPECT AND COMPLIANCE

An overall respect for the law based on one's personal value system was most evident among the poor in Halifax, the working poor mothers in Kamloops, the elderly francophones, and the immigrant groups in both Toronto and Montreal. In many ways, these individuals expressed the belief that Canadian laws were fairly drafted and well intentioned. Most admitted that there were some types of laws that one might "cheat" -- income tax, customs, traffic bylaws -- but this did not negate their perception of law as an instrument of social order.

However, many individuals and groups of individuals had a cynical view of the administration of justice. Disillusionment with, or at least suspicion of, the roles of lawyers and judges was expressed by even the most conservative participants. A surprising number of participants felt that the law was fair but those who exercise it -- police, lawyers, judges -- were not.

While many group participants agreed that the law treated "average" Canadians fairly, very few included themselves among average Canadians. Most disagreed with the statement that "everyone is equal before the law", because they perceived inequality of application and inequality of access to recourse. Money was seen to be a guarantee of better treatment before the law. It was felt to buy connections, influence, and effective representation. Even well-to-do members of minority groups were thought to be subject to differences in the administration of justice, compared to participants themselves.

Many, perhaps most, of the participants in the focus groups of aboriginal people had very little support for how the law was applied to their lives. Their negative views were based, for many, on personal experiences of discrimination and, for some, on a belief that Canadian laws had no legitimacy for native people.

Among the groups of white teenagers and young natives, much of the "respect" for the law was actually avoidance of punishment.

Whether the law was perceived more as ensuring that individuals received their deserved benefits or as restricting their freedom of action was related mainly to the types of law they had encountered. Those who had been involved with criminal law were likely to see the restrictive aspect. Those whose experiences were with civil, family and social welfare laws were more likely to see the benefits ensured by laws. However, even among the latter group, a number expressed the view that faulty administration often frustrated the law's original intent to ensure their benefits.

III. SUMMARIES OF FOCUS GROUP DISCUSSIONS

A. TORONTO - GROUP 1 - IMMIGRANT WOMEN

The nine women in this group had all immigrated to Canada in the past five years. They ranged in age from early twenties to their fifties and came from the Philippines, Poland, Ethiopia, Hong Kong, Jamaica and several other Caribbean islands.

By virtue of their immigration alone these women were fully aware of the impact of the law on their lives. They readily cited laws about employment, social benefits, financial affairs, discrimination, traffic and, of course, immigration. For many, their first years in Canada were spent learning about and trying to meet the regulations and requirements of various government departments, ministries and agencies.

I can't remember how [I found out about income tax forms]. Probably some friends told us that we had to do that. We just did it automatically. Nobody told us how to do it ... maybe we should have claimed much more things because we didn't know.

[My husband and I] are both medical technologists and we are very eager to be qualified as medical technologists here in Canada. There are many rules and regulations that we have to undergo. [Set by the Canadian Society of Medical Technologists.] We have been working for 10 years already. They have evaluated our education, they require six months of Canadian experience. Now we have worked for six months. Now they have said that this is not enough because we are only working as laboratory assistants ... They don't ask the same requirements from each of us, so you don't really know what the requirements are ... but they don't tell you also which laboratories are accredited by the CMST. They told us we had

to get six months Canadian experience in an accredited laboratory.

Although the participants in this group appeared to have integrated quite successfully into Canadian life, most cited examples where laws and regulations had constrained their personal choices. Few offered examples of beneficial regulations or laws which had safeguarded their rights.

During the discussion, several cases emerged in which participants felt the negative consequences of not being familiar with Canadian law.

A friend of mine, the girl was going to be kicked out from where she was living. She called a landlord [with a room for rent]. The landlord said everything is fine. You're paying \$350. She went and saw the place -- a very nice bedroom in the basement. The following day we took over her luggage. The landlord had given the room to a guy. Now she had nowhere to go. So she was given the storeroom. You can't believe it but I saw it ... a small room ... when you were going in you had to bend your head.

Our house was being sold -- the owner told us he had to sell his home. I had a new baby that time, of six months. I found a new place. I talked to them, they said okay we could go in. We went to see it, me, my husband and my daughter. When we got there, when he saw my [baby] daughter he said he couldn't rent it [to us]. They were a family too. I said, "What discrimination is this?" He said "no". He didn't give us [the place].

I had a car accident recently ... There were three young teenagers driving in the [other] car. The damage was very small -- about \$200. they started yelling at me "you immigrant, you were driving on the red light" ... I said call the police and they said no because the police don't come. Because I am an immigrant they started yelling at me so I shut my mouth. I was so scared. Later when I was at home I started thinking about it. I realized that I made a mistake because I should be more aggressive than I was ... They took advantage. I didn't know

what I should do and they said we were not supposed to call the police because the damage was too small. Later when I was with my friend we went to the police and they said I was stupid, I should have called ... I didn't have any experience I didn't have any accidents so far and just didn't know what I should do.

In this group, more than the others that followed, missed opportunities predominated over abandoned enquiries. Participants could think of no cases where they had been unable to pursue a legal matter to its conclusion.

It was clear that much of what the participants had learned about the law had been learned from friends with longer experience in the country. One or two had borrowed books from the library, and pamphlets provided by government departments were well regarded as sources of information. The importance of information packages provided to new immigrants by the federal government or by their ethnic association was underlined. But overall, the first resource when a problem was encountered, was friends and relatives.

If faced with a need for more legal information most participants said they would consult one of the social service agencies with which they were already familiar -- their immigration counsellor, workers at their community association, the school ombudsman, the immigrant counselling services of the Catholic church or the Salvation Army. Two participants knew of community information centres which they said were located near public libraries, or in shopping malls in one area.

My own community will speak for me. If I have some problems I go to my community. Everybody has their own country's community.

There is a list given to you at some of these government offices that gives you numbers for various problems.

Basically [the school ombudsman] is the same thing as the community or the political ombudsman. It's just on a small scale in school. Whatever problem you have in school ...

Questioned about specialized legal information services, two talked about legal aid and one had used a lawyers' referral service.

Community information centres -- they have the lists of all those legal aid clinics. Usually they [information centres] are located near the public libraries.

Legal aid clinics are free for those who can't afford. They have lawyers there and they assist you in whatever legal matters you need. And they don't charge you. Unless you can afford -- a minimal amount.

A Polish immigrant described the steps taken to help a countryman who had run out of money, had no work permit, and was waiting for his refugee hearing.

So he asked me what he should do ... We went to Legal Aid. It was a lawyer who talked to us. He said there was a chance that we could fill out an application for temporary assistance. We did and he got temporary welfare assistance until he got his Canadian card. And after the first hearing he got temporary permission to work. I was surprised because before that I didn't know that something like that existed for new immigrants. The lawyer gave me a few papers in case I would have problems in my work or on any other fields. There are different kinds of lawyers in this agency and every time when I have problems I can go to the same place ...

Another described the process she was currently involved in, to sue a landlord for breach of contract. The landlord had verbally committed to renting a property if the respondent would undertake repairs. After extensive repairs were completed by the respondent's husband, a contractor, the landlord refused to honour the rental

agreement or pay for the repairs. The participant and her husband had been in Canada less than a year.

First, I called something to do with renters where you call and you tell them your problem and they tell you what to do. (I found out about it from a friend.) I talked to them and they referred me to this lawyers' referral service. You just tell them what your problem is and where you live and they refer you to a lawyer in your area who does real estate law or whatever it is you need.

Two or three were aware of the office of the provincial Ombudsman, although its function may not have been fully understood.

They speak on behalf of immigrants or anybody who is [affected by] the law. Let's say you have an accident in your company and the company doesn't want to give you benefits -- workers compensation. The ombudsman is there to help you.

You may go to court on a matter and, whether it's insufficient witnesses or whatever, but you did not get your rights -- you go through the Ombudsman.

However, for several, especially when they first arrived in Canada, access to legal information was limited.

[The rental agent] said "Because I can't see your social insurance number I won't give you the house" ... The last day I went to the mail box and my social insurance number was there! So I rang the real estate agent and said "I've got the Social Insurance Number". He said "maybe its not your's" ... It was very, very agonizing ... I know that somewhere there must be some law, but I didn't know how [to find out], where to go for information. I didn't know until I went to high school, and started making some enquiries, and doing some research and now I can find my way out. But it's a little bit hard as a new immigrant.

Immigrants, when they [first] come over. The fees that the lawyers charge are too much.

I didn't ask [for help] because they said if I got a lawyer I [would] have to pay. The payments are very high for me. I can't afford it. I said forget it.

You're inadequate to reach the right people whom you can approach so they can help you. The law is there but sometimes there are some people, if I knew them, they could help me out.

Despite some disappointments when regulations prevented them from receiving certain social benefits, the participants in this group appeared to hold Canadian law in high regard. In some cases with halting English, they eloquently expressed the reasons for their respect for the law.

We come from another country. We have adopted this country. We would want to be seen as decent citizens, good citizens. Why should we go then and break the law? We would want to fit in as a part, as an asset.

I have to depend on Canadian law. I have to be under [submit to] the law ... I'm Ethiopian. You don't have freedom to speak [there] ... I have to hide everything in my thoughts. Here you have the freedom but you have to [obey] Canadian law too.

I think they made the laws for the good of everybody -- except education and immigration [regulations].

Participants in this group, as in all others that followed, drew a distinction between the law and the mechanisms for administering the law. Examples were given in which participants believed the police or bureaucrats did less than they might have to assist new immigrants in maintaining their rights.

The law comes [as] one law for all Canadian people -- whether you are immigrant or Canadian, it's all the same. But the people who work with the law, who enforce it, [they discriminate].

I was looking for my immigration papers ... to renew my work permit. I went to one office and they said "Your file is not here so go to number this". I went there, they said "Your file is not here, go to another office". The last one they postponed me--I went two or three times. I said "I'm not moving an inch. I'm sleeping here with you. My life is in your hands" ... The guy went to the back of the counter ... they started looking through the files and my name was there. And he was telling me "your file is not here".

The people who are working in the law [discriminate] not the law [itself].

To explore the importance of differing cultural values as a barrier to full access to the law, participants were presented with a hypothetical case of family violence. Among most members of this group there was awareness of women's and children's rights and of the agencies to support these -- the Children's Aid Society, Distress lines and shelters were all mentioned. One participant explained that she herself had called the police for a friend who was being beaten but another suggested that she would keep such a problem "within the community". While the impact of cultural values was evident during this discussion they were balanced by an awareness that Canadian society does provide means to address such a problem.

While there was a substantial amount of discussion about discrimination against immigrants and visible minorities, most participants appeared hesitant to take a legalistic approach to discrimination. Perhaps this was because most felt that those exercising the law themselves discriminated. Most did not think that "everybody is equal before the law".

Black people tend to be bundled in one group. The police will say "it's more likely that you'll do it because you're Black". As a result it's a sort of discrimination.

Not only the colour. I am white but sometimes I have a feeling [of discrimination]. If I don't say anything so nobody knows if I am Canadian, born here, but when I open my mouth I feel the same way like you.

I don't think the law can help it's the people around here.

I'm sure there's a law that can help you but probably you're just not going to bother going through all the paperwork for one small incident ... Do you really want to go to a lawyer and go through all the legal process just for that?

B. TORONTO - GROUP 2 - VISIBLE MINORITY - CHINESE

This group was comprised of relatively well-educated, upwardly-mobile Chinese who had recently immigrated to Canada. Their familiarity with English and their perception of similarity between the HongKong and Canadian legal systems allowed them a degree of comfort with the law in Canada.

Typical situations involving the law which were experienced by these group participants included traffic laws, contract/real estate law, immigration and employment law. Little mention was made of criminal law except for a discussion of leniency perceived to be offered by the Young Offenders Act.

In describing their search for legal information the Chinese in this group raised the same kind of issues one might expect from a group of middle-class Canadian-born participants. For example, one commented on the "referral runaround" which could occur:

Some time when you are uninformed and you want to get some more information. Sometimes you don't know where to go. Even if you know how to get it, once you get in touch with those persons or those departments they will still direct you to another department or another staff. It is not unusual [for this to happen].

Talking about the experience of using a lawyer to purchase a house, another participant remarked on the difficulty, for the average person, of understanding the law. The comment seemed equally appropriate for a native-born Canadian as for an immigrant:

The lawyer – maybe he was very junior – he just couldn't explain quite clearly about your obligations and your rights. "Just sign the papers and pass the bucks." Perhaps they take it for granted that you know this. In fact I could ask, but sometimes I don't know how to ask. [I could say] I don't understand but even then I don't get a very clear cut answer.

Participants as a whole had numerous ideas of how to gain information about the law. Several mentioned going to the public library and using the reference section. One knew that "even if they don't have it in the library at that time, they can look it up for us". Information booklets and pamphlets which are produced by various levels of government were cited as a major source of legal information.

Small booklets from government information centres... [they] simplify the words ... When you go to government departments, say Canada Employment and Immigration Centre, you can just pick these booklets about unemployment, pensions, something like that.

Also mentioned was a booklet for newcomers which was provided by Immigration. The main feature of this booklet was a list of sources and contacts for a range of

problems. Chinese newspapers and books were felt to be sources for some types of information, but the most important source for all participants appeared to be friends and relatives.

As long as we know our friend has been through that [similar situation]. Particularly when we have a special situation. Suppose you want to buy a house then you ask the friends -- to protect yourself from being exploited or being abused.

While group participants evinced relative comfort with consulting government departments and ministries for information, they were less aware of specific sources of legal information or assistance, such as the provincial ombudsman, tenant advisory board, small claims court and the like. Some had heard of the telephone information recordings offered by Immigration but none were familiar with other kinds of telephone information lines. One knew of legal aid but several others were surprised by a description of its services.

Not so many people know that there's sort of a government legal aid organization. Maybe the government, or the municipality of the provincial government should make more effort to proselytize.

Despite the relative confidence displayed by this group, subtle themes of vulnerability and the need for protection did emerge.

First, you find out about law by reading booklets to pass the [driving] test. Once you get your driver's licence and you start driving, and when you are not so familiar to the area, then most likely you will somehow violate the law. Then you get into sort of an anxiety and you want to know more.

My friend advised me [to contact a lawyer after having a traffic accident] to make sure that I was being protected. I didn't know what would happen after.

You have to know the law well in order not to be mistreated because even if the law says [something] if we are not aware of it, it would not be surprising or uncommon to be mistreated.

There was a sense in this group that most people respect the law. Average Canadians were felt to get fair treatment by the law "to a certain extent" or "when you know how to use it".

Basically we know what the law is. We wouldn't know every aspect of the law until we run into the need. When we feel we need to know we will find sources of information.

Even many local people, they don't know exactly what certain sections of the law says.

In general the term "law" is quite abstract and quite high-level and people just don't want to get into it unless they want it or need it.

While this group was composed of relatively confident, educated, articulate individuals, their knowledge of sources of legal information was limited. While none appeared intimidated by legal aspects of Canadian life, many were conscious that lack of knowledge could make them vulnerable.

C. HALIFAX - GROUP 3 - CANADIAN YOUTHS

This group of nine teenagers aged 15 to 18 had given little consideration to the impact of the law on their lives. When prompted, they were most likely to think of the law in terms of the police. However, none appeared to have a great deal of first-hand experience with either the police or the courts.

The few circumstances in which these youths acknowledged contact with the law involved surveillance or questioning by the police when out on the street late at night. There was some sense that they were being singled out for negative attention by the police because of their age, although this was not a strongly held belief.

Awareness of sources of legal information was low among this group. When presented with hypothetical situations involving legal issues, their reactions were to "call the police" or "hire a lawyer". The concept of gaining information about one's rights and responsibilities before turning to these two sources had not occurred to this group of youths. Few could recall reading any pamphlets on legal issues or were familiar with services such as PLEI or Dial-a-Law. There was some awareness of the Human Rights Commission, to whom a booklet on Teenagers and the Law was attributed. However, none had any experience with, nor any concrete knowledge of the roles of Small Claims Court or the provincial Ombudsman. One respondent was aware of the tenant advisory service operating in the province, since a friend had called the service for advice when her belongings had been seized for non-payment of rent.

Knowledge of the law, for these teenagers, came from two sources: their peers and television. Acknowledging that television does not present a realistic view of the law, one respondent remarked that, nevertheless:

That's the only way there really is. There's no other [source of] awareness. All there is is TV, unless you're faced with it yourself.

There was some recognition that American programs did not adequately portray Canadian law.

Some of it's exaggerated. You see all those drug busts. You don't get much of that in Halifax.

The Fifth Amendment ... here we don't have that.

But over all, media coverage of actual events and dramatized television portrayals of "true stories" were cited by these respondents as readily as were their own experiences or those of their friends.

There was little sense among this group of a need to learn more about the law. Although some did admit that one would need such knowledge, this was "usually, when it's too late". For these average, middle-class teenagers, the view appeared to be that "there are so many laws, but you don't really encounter them".

Yet, it would be inaccurate to conclude that these respondents had no awareness or knowledge of the laws affecting their lives. On an extremely practical level, some had made a point of knowing about the laws, and punishments, that could affect them. One could cite the fines to the parties involved in underage drinking in a bar, and the implications of using false identification. Others had opinions about the legal age for drinking, driving and so on. All were aware of the legal age for leaving school. Several who had held part-time jobs were familiar with regulations affecting unemployment insurance or the Canada Pension Plan.

Aside from the employment-related laws, most of this information appeared to originate from friends -- few had studied law in school at any length. One recalled learning about human rights in Health; a few others had studied the Young Offenders Act in Social Studies class.

The Young Offenders Act was the topic generating the most lively discussion. This suggested that lack of relevance, or relevant life experience, was more of a barrier to gaining legal knowledge than simple apathy on the part of these teenagers. Various points of view were expressed regarding the Young Offenders Act. Most felt that the law was "soft", although some felt this might be justified.

I think it's too soft on people our age, this Young Offenders Act. ... A couple of my friends have been up on assault charges and they get slapped on the wrist, because of the Young Offenders Act, and they'll be back out to do it again. I just can't agree with that. If you do something wrong, you should have the full punishment.

I guess they figure that you're young and you should have a second chance.

I find it good that they clean your record after you turn 16 (or 18?) ... because some people maybe they've done something, but it's not going to follow them for the rest of their lives.

These teenagers' view of the legitimacy of law was heavily coloured by their frequent perception of being restricted or regulated, rather than receiving benefits. Further, their own values did not support some of the laws that touched their daily lives -- regarding driving, drinking, drugs, for example. Thus, obedience of the law was said to "depend on who's watching".

A lot of people I know have adopted the philosophy that it's only wrong if you get caught. They know right from wrong, but they only claim it was wrong after the fact.

D. HALIFAX - GROUP 4 - BELOW THE POVERTY LINE

This group of nine working-class people from the Halifax area were largely outside the labour force. Four were unemployed, two were working part-time, two were taking additional training in order to find work and one was disabled. Their experience with the law ranged from testifying in a criminal case to seeking child maintenance and taking disputes to Small Claims Court.

Participants in this group expressed a basic belief in the fairness of the law. They underlined that respect for and obedience of the law should come from values learned "at home".

The ability to protect one's rights and get what one deserves was perceived to depend largely on one's financial resources.

It appears that a lot of cases are won or lost depending on what kind of money you have. ... Even if you go to Legal Aid ... Some of these cases can go on for five or six years. That same lawyer's not going to be a Legal Aid in five or six years, not if he had any brains, he's going to be gone. So, you change lawyers and in the interim, everything gets pushed back to stage one. All this company's lawyer's had to do is sit back and wait you out. You can't afford to go to a high prestige lawyer. ...

The police were often the first source of information for legal matters, despite the fact that they were not thought to be a reliable source.

People don't know what their rights are. They listen to the police and they think the police are the ones that know it all. But, I think that half the time the police advise you in the wrong direction. ... I'm not saying all police are wrong. ... In the general case, they don't advise the people about what their rights are.

They're trained as peacekeepers really, not as lawyers. I don't know if you could really expect them to have a good knowledge [of the law]. Just what they need to know.

A number of participants were quick to recognize that, as citizens, they needed to know more about the law.

If you know enough about it and how to use it, I'm sure you can get what you deserve. But you, the average person doesn't really. ... I don't think I know enough. There's probably things I lost out on because I didn't know enough at the time.

The laws are for the people, definitely, but you have to know them to benefit from them.

There are a lot of loopholes, too, that you don't know about.

At the same time, some of the participants seemed overwhelmed by the law. They were less anxious to learn about it themselves, judging it too complex.

Just to know an average -- just enough. But beyond that, anything too complex, forget it.

You don't know enough about the law unless you study it ... and the law changes every six to nine months.

Despite their view of the law as a positive force, participants cited many personal experiences with rules and regulations which they judged to be unjust. Examples included interprovincial auto insurance coverage, fishing regulations, UI and Workers' Compensation regulations.

A few participants had used available information sources and resources. One had used Dial-a-Law while living in Calgary and felt it gave her a better basis for

understanding her case before she went to a lawyer. Several had taken cases to Legal Aid and one had visited a PLEI office regarding a tenancy dispute. But most conveyed a lack of direction in any approach to a legal problem. Friends and relatives were the first references that most would consult. General counsellors such as a church pastor, town councillor or an Outreach worker were mentioned. But several thought that Legal Aid was their only resource:

Where do you go, unless you go to Legal Aid, if you don't have any money and you're on a fixed income. You have to go to Legal Aid or you have to go to some other information [source]. Where do you go, that's the question.

A couple of participants had used information services in their community centre or schools. One mentioned lawyers speaking at a library on a certain legal issue or volunteers providing information about income tax. Another participant who was on a fixed income and living in a rural area vividly described how lack of money and geography limit his access to information:

As far as being able to contact somebody and sit down and talk with them, there's nobody out in the country, I'd have to come into the city. Now, I'm allotted \$17/month for transportation. I live 20 miles outside the city. ... For me to get into town more than twice a month, I've lost my \$17. I have to use that to get my groceries. If I phone somebody up and they say "Come right in", great, but I'm taking off two meals on this day to get into town and back. If I have to go three times, I won't eat half the month. When you're on a fixed income you have to go by the book.

Toward the end of the discussion, participants returned to the topic of knowing one's rights. Legal knowledge in this more concrete setting of "getting what you deserve" received a more enthusiastic response.

If you don't understand the law, how are you going to know your rights.

[Knowledge] would help. If I were a landlord and I knew that you knew the laws about tenancy, I'm not going to try to pull something over on you.

You know what actions to take. You know what you're entitled to. You say hey!

Sensitized to the range of possible legal education resources, group participants had a consistent suggestion for improvements to PLEI. Broad-scale communication of all available services was seen as essential. Suggestions included distributing a pamphlet listing information sources through schools and community centres or listing such resources in the front of the phone book. Communication of the program's existence was felt to be crucial because "You can't use anything if you don't know it's there".

E. MONTRÉAL - GROUPE 5 - MINORITÉ VISIBLE - NOIRS

Ce groupe de participants est composé de citoyens canadiens de race noire et dont l'origine est majoritairement haïtienne, avec quelques autres personnes du Soudan et de la Grenade. Quatre participants avaient de la difficulté à s'exprimer en français mais tous parlaient couramment soit le français ou l'anglais, de sorte qu'ils ont tous eu la possibilité d'entrer en contact avec le système légal du Canada d'une façon ou d'une autre. La majorité sont des immigrants reçus au Canada depuis plusieurs années et tous travaillent présentement.

Les situations impliquant un aspect légal mentionnées principalement sont les suivantes: immigration (tous y sont passés), code de la route (tous y sont passés), code civil (divorce), code criminel (connaissance théorique), loi de la protection de

la jeunesse, fiscalité, et plusieurs autres lois dont l'expérience est moins partagée par l'ensemble.

En général, tous s'accordent à dire que les lois les touchent chaque jour mais qu'ils s'en accommodent bien. Ils croient connaître suffisamment les aspects légaux les concernant pour fonctionner adéquatement dans leur vie quotidienne. De la même manière, ces participants nous disent que les lois sont là pour aider la société dont ils font partie, donc pour les aider au besoin mais le plus rarement possible.

Tous ont eu à composer avec le système légal au Canada, que ce soit au travail, pour un divorce, la protection de la jeunesse, etc. Il n'y a alors aucun doute que les lois sont bénéfiques pour eux car aucune situation n'a été mentionnée où un participant avait été perdant dans ses démêlés avec la loi.

Les commentaires entendus relativement à ces occasions sont sensiblement les mêmes que prononceraient toute personne née au Canada. On parle des différents services gouvernementaux, connus par la majorité, qu'on atteint soit par le téléphone ou soit en personne dans un bureau gouvernemental. En fait, il se dégage une impression d'une assez grande familiarité avec le système légal autre que criminel.

On regarde dans le bottin de téléphone dans les pages bleues à la fin et on appelle. Il y a toujours un bureau quelque part, pas trop loin.

Dans l'ensemble, on cherche à régler les problèmes légaux par soi-même ou avec l'aide du milieu immédiat, mais lorsqu'il le faut vraiment, on fait appel à un avocat car c'est son métier, c'est un spécialiste.

Cependant, personne n'indique avoir eu de mauvaises expériences avec un avocat et tous expriment une grande satisfaction face à leurs démêlés légaux, sauf en regard avec la protection de la jeunesse. À ce sujet, un participant croit que les parents n'ont pas assez de droits face à leurs enfants et où la différence de culture entre son pays d'origine et le Canada se fait plus sentir. Évidemment, certains soulignent la difficulté ressentie pour comprendre un document légal, comme le ferait n'importe quel canadien probablement.

Par ailleurs, pratiquement personne ne connaît l'existence de lignes téléphoniques directes (hot lines) pour avoir une consultation sur un aspect légal. On dit chercher par soi-même et trouver assez facilement où s'adresser. Certains dépliants gouvernementaux sont mentionnés comme sources d'information sur l'assurance-chômage, la régie du logement, etc.

La cour des petites créances, l'ombudsman, la régie du logement, la commission sur la santé et la sécurité au travail sont autant d'offices gouvernementaux connus des participants. On dit connaître leur raison d'être et on souligne qu'ils sont là pour aider des gens tels qu'eux-mêmes s'ils en avaient besoin.

Ces gens là sont là pour nous aider si on en a besoin. Ils aident n'importe qui en fait la demande.

On souligne qu'auparavant les nouveaux immigrants recevaient des documents pouvant les orienter face au système légal canadien lors de leur arrivée au pays mais que cela n'est plus le cas depuis quelques années, et on le regrette. Il y avait là les numéros de téléphone et les adresses des principaux services gouvernementaux dont les immigrants peuvent avoir besoin.

Dans l'ensemble ces participants semblent se comporter face au système légal tels que le feraient les citoyens canadiens de souche, i.e. sans plus d'anxiété ou d'inconfort. De plus, comme on l'entend à l'occasion chez ces mêmes canadiens, les participants soulignent qu'à leur avis l'argent joue un grand rôle dans l'obtention de justice au Canada.

Ainsi, tout en démontrant leur connaissance des diverses spécialités de pratique des avocats, la majorité indique que plus on a d'argent meilleurs sont les avocats qui travaillent pour nous et ainsi, meilleures sont nos chances d'avoir une décision judiciaire favorable. On obtient les noms d'avocats par des références de parents ou d'amis ou encore en cherchant dans le bottin téléphonique.

Il ne semble pas y avoir de cas d'injustice présumée due à la discrimination chez nos participants. Ils croient cependant que des situations se présentent où les différences culturelles créent des problèmes. Malgré tout on ne croit pas qu'il y ait trop de lois au Canada, même si on souligne que les lois de l'impôt pourraient être simplifiées.

Il n'y a pas de doute que les participants de ce groupe disent respecter les lois du pays qu'ils jugent être une bonne chose. Ils le font parce que les lois sont correctes mais que parfois ceux qui les appliquent sont de qualité inférieure au système qu'ils doivent appliquer.

En général, on se dit satisfait de la connaissance des lois et il ne semble pas y avoir de besoins spécifiques à remplir pour eux. Il importe toutefois de souligner la particularité de ce groupe, composé de plusieurs étudiants bien que d'âge adulte. Leur débrouillardise peut expliquer leur apparente confiance dans leurs connaissances du système judiciaire canadien. Néanmoins, on ne sent pas de

craintes ou de besoins particuliers, dus à leur situation d'immigrants.

F. MONTRÉAL - GROUPE 6 - TROISIÈME ÂGE - FRANCOPHONES

Ce groupe de participants est constitué de dix personnes âgées de 60 ans et plus, citoyens canadiens, ne travaillant pas à temps complet et qui ont déjà eu certaines expériences avec le système légal canadien. À cet égard, ils n'ont pas de difficulté à nommer plusieurs types de lois régissant l'ensemble des citoyens canadiens: lois sur l'agriculture, la fiscalité, la langue, l'immigration, le code de la route, le code criminel, le code civil, la santé et la sécurité au travail, etc.

La majorité des participants n'a que des incidents mineurs à rapporter comme contact avec le système judiciaire canadien (infraction au code de la route, douanes, assurance-chômage, par exemple). On dit apprendre à connaître les lois avec le temps, au fur et à mesure de ses propres expériences ou celles des autres, près d'eux ou pas.

On sent que normalement il n'y a rien à craindre pour les honnêtes citoyens et que, par conséquent, ils ne se préoccupent pas véritablement des lois canadiennes qu'ils disent respecter par ailleurs. Lorsque le besoin s'en fait sentir, la majorité semble confiante de trouver la façon et l'endroit où trouver les réponses à leurs questions sur des aspects légaux. On mentionne à cet effet, les organismes gouvernementaux qu'on rejoint par téléphone ou en personne.

C'est toujours possible de trouver la place où s'adresser. Les organismes du gouvernement sont là pour ça.

Le système légal apparaît être là pour protéger les citoyens contre les abus de toutes sortes, effectués par d'autres citoyens moins honnêtes qu'eux le sont. Cela semble très important pour eux et se sentent donc en confiance à cause de cela.

Ces participants savent très bien que des lois de toutes natures existent dans tous les domaines d'activité. Néanmoins, ils ne jugent pas que cela soit la cause d'embûches particulières pour des citoyens comme eux. Bien sûr, ils ont tous eu des expériences de vie où ils ont eu à être brimés dans leur volonté d'agir de façon indépendante mais où ils ont tout de même respecté les lois (pêche, douanes, etc), la plupart du temps. En effet, il apparaît que certaines situations, telles que les précédentes, font que les citoyens respectent ce que l'ensemble des autres citoyens respectent aussi. C'est alors plus un jeu qu'autre chose et les participants disent comprendre le bien fondé de ces lois malgré tout et s'accordent à dire qu'ils en bénéficient en bout de ligne.

C'est comme quand on revient au pays après un voyage, on sait que tout le monde va essayer d'en passer un peu plus que ne le permet la loi, mais cette loi permet quand même de contrôler un peu ce qui se passe.

Par ailleurs, lorsque confrontés à une situation ayant des implications légales, la majorité des participants ont tendance à consulter des ressources professionnelles, et plus particulièrement des avocats parce qu'ils sont spécialisés dans ce domaine. Tous nos participants savent que des spécialités existent, même parmi les avocats, et on se fie passablement sur les recommandations de parents ou d'amis pour choisir son avocat.

Pour les cas où les participants n'ont pas besoin d'avocat, ils consultent facilement et sans problème les ressources mises à leur disposition gratuitement, telles que

l'aide juridique, les offices gouvernementaux de diverses natures et les ressources populaires et/ou communautaire, dont faisait partie au moins une participante. Cette consultation s'effectue, soit par téléphone de préférence ou soit par une visite directement aux bureaux concernés.

On prend le bottin de téléphone et on appelle jusqu'à temps qu'on trouve.

Moi, je me rend directement parce que ça va plus vite et puis j'aime ça me promener.

Malgré leur certaine familiarité avec les services gouvernementaux, personne ne connaît de ligne téléphonique directe (hot line) permettant d'avoir accès à des renseignements de type légal. Par contre, les participants semblent assez satisfaits de leurs expériences lorsqu'ils ont eu recours aux services gouvernementaux en matière légale.

D'autres services sont mentionnés, tels l'ombudsman, la cour des petites créances, etc comme étant des ressources par lesquelles des problèmes d'ordre légal peuvent être réglés. Les participants savaient que tous ces services sont à la disposition de citoyens comme eux et eux-mêmes ne se gênent pas pour les utiliser ou encore, les utiliseraient en toute confiance si le besoin s'en faisait sentir.

Il est plutôt rare qu'un participant ait appris qu'il aurait pu bénéficier de ressources gouvernementales pour l'aider à solutionner une situation comprenant un aspect légal. Il apparaît que nos participants comptent avant tout sur leur propre débrouillardise pour régler leurs problèmes, ce qui comprend l'utilisation des services gouvernementaux au besoin. Dans cette optique, s'ils ne peuvent trouver d'aide du côté gouvernemental, et même s'ils apprenaient par la suite qu'une aide

eut été disponible, ils ont tendance à se blâmer eux-mêmes plutôt que le service gouvernemental.

Les services sont là et on paye assez cher pour ça, qu'on a juste à s'en servir.

D'autre part, les participants de ce second groupe à Montréal estiment eux aussi, comme le premier groupe, que le pouvoir monétaire ou autre (on cite l'exemple d'un juge qui jouerait d'un traitement de faveur en raison de sa position sociale), contribue à la possibilité d'obtenir des règlements en sa faveur dans le cas d'un litige. On ne s'étonne pas véritablement de cet état de chose même si on le déplore tout de même, car cela semble faire partie des règles du jeu auquel ils adhèrent tous finalement. Selon ce raisonnement, tous les Canadiens ne sont donc pas tous égaux devant la loi. Toutefois, la loi est la même pour tous.

Le juge qui s'est fait attrappé dans un salon de massage n'aura jamais le même traitement que monsieur-tout-le-monde.

Dans l'ensemble ces citoyens considèrent connaître suffisamment la loi pour être à l'abri de problèmes qu'ils ne se souhaitent pas. Il faut cependant reconnaître que le simple fait d'avoir la capacité de se déplacer pour participer à une rencontre de groupe démontre clairement qu'il s'agit de citoyens ayant tous leurs moyens pour faire face à la vie, malgré leur âge. Ceci est aussi illustré par le fait que plusieurs participants sont veufs ou veuves et que personne n'estime avoir eu de problèmes particuliers pour régler leur succession.

De plus, même si nos participants peuvent être représentatifs de l'ensemble des citoyens canadiens de leur âge, ils n'ont cependant pas eu d'expériences relativement aux maisons de retraite pour personnes âgées. Il est donc possible de

croire que les commentaires auraient pu être différents s'il s'était agi de résidents de ce type d'institutions. Les mêmes remarques s'appliquent quant au fait qu'aucun participant n'avait de handicap de quelle que nature que ce soit, et ne peuvent donc pas témoigner des besoins relatifs aux personnes handicapées.

En terminant, nous pouvons conclure que les participants de ce groupe n'ont pas manifesté de réticences à avoir recours à des organismes gouvernementaux pour tenter de régler une situation comportant un aspect légal.

G. WINNIPEG - GROUP 7 - NATIVES

For this group of nine working-class urban natives, criminal law was top-of-mind in discussion and they equated the legal system with the police and the courts. A very jaded view of the justice system emerged through the course of the discussion, based on many first-hand experiences. Some chilling examples were:

One morning, about eight, there was a knock at the door. ... There were these four guys at the door -- bust their way in -- and someone else was at the back door -- they were all undercover police officers and there were another four of them at the back. ... They didn't tell us anything. They sat us all on the couch for about an hour while they searched the house. They got us all out of bed [including the children] and made us sit on the couch not saying a word, and they went through everything in the house. ... They didn't give us any explanation until after it was all over, then they showed their badges. Then they left -- no apology, nothing. [Did you do anything after that?] No, we were shocked. We didn't know what. We were really done nothing. Apparently they had the wrong house. ...

I was walking along the tracks [to my home]; the police came. I was with three other buddies, and they stopped and asked us our names, and as soon as I said [my old name], they said "Larry or Charlie, which one's your dad?". Then they started harassing

me and razzing me: "So, are you gonna be like your dad? Are you gonna be like your uncle?"

One time there were three boys walking down the street ... [my son's] friend had a bag of clothes. He was moving from one house to another. ... He was asked to dump all his clothes on the street just because he had long hair and he was native. It wasn't just once, it was twice. ... Two different cops stopped him and this kid was asked to dump his clothes out because they figured he stole something.

Apparently, after I left [the Safety Building] that night -- he was okay when I was there -- but when he came home, he was all beaten up. He said the cops, after I left, they beat him up. ... He said that the doctor checked him the next morning at the youth centre ... and the doctor told him to lay charges but I didn't. I was really upset so I said [to my son], you got into this, you get yourself out of it.

Group participants had first-hand experience of the police, detention facilities and the courts, yet they appeared to have a very passive view of their role in interactions with the law.

We all take these laws as they happen to us. We just don't bother fighting them and just accept a lot of this stuff. I don't think we really look at it. ... Whoever our higher people are, say that it has to be, and we just roll with the punches.

After citing two examples of many police searches experienced when he was a juvenile, a relatively articulate young man remarked that he had never complained about breaches of his civil rights. His attitude voiced a sense of resignation which appeared frequently in the discussion.

I knew I could have said something, but it's their word against mine.

Others echoed this response:

You kinda just shrug it off [and say to yourself] "It's not that bad".

As far as your rights go, the only time you'd probably check up to see what they are, is after the fact, after you get in trouble.

My nephew was in the Safety Building and he was supposed to be transferred. He was suicidal and the guards there were told to watch him, and they didn't watch him. If I knew more, I could have maybe gone to see someone. ... It was too late [he committed suicide].

Despite numerous personal experiences with the law and willing admission that they wished they knew more, respondents were unaware of or unwilling to use sources of legal information. Sources, such as consulting the library or an RCMP special constable, were suggested by one respondent but seemed unlikely to be actually consulted. Another respondent appeared aware that information agencies existed but felt they would be unlikely to be of assistance.

I think it's just a big runaround. You want to ask for information. They'll say "go there". You go there and they'll send you over there. Sometimes it's pointless, a waste of time.

Wherever you go, you see brochures and posters. Go here for help. Go there for help. But try going.

Information sources for individuals were largely unknown in this group, but numerous examples of police public education and community relations programs were described. These included school visits by the police, tours of the Safety Building (Detention Centre) for students and community-based police programs.

Respondents' passivity before the law was also reflected in their feeling that a lawyer was necessary for legal encounters:

You pretty well need a lawyer for everything – anything that involves the police, you need a lawyer. [Otherwise] they can make it pretty bad for you.

Encounters with lawyers, however, were judged to be largely ineffective or exploitative. Affordable lawyers or those from Legal Aid were judged to be less experienced or less committed to devoting time to natives' cases. One respondent felt "expensive lawyers" were likely to win one's case because they would "work a lot harder and try and find ... a lot more facts". However, another voiced the opinion that the money paid to an expensive lawyer was merely used "to pay off judges and things like that". This view of lawyers and the courts was consistent with that expressed in other groups of disadvantaged people.

While much of the discussion centred on criminal law, many of the respondents also had personal experience with legal aspects of housing and family law. Transience and poor quality housing elicited knowledgeable commentary about the rentalsman and the Small Claims Court. However, in both cases, long delays were cited. Delay appeared to be another factor which contributed to perceptions of futility and the need to "roll with the punches".

Small Claims Court – It took me about one year; I did get my damage deposit back. I had to go to court and everything.

The rentalsman tries to do something, but if you write out a form today, you don't hear from them for three months. ... The rentalsman can't do much really. ... They had no choice but to let it go. Most of these people are on welfare, and welfare has made them pay it back and it's coming off their food budget.

Speaking about a contact with the Human Rights Commission, one participant underlined another barrier to using legal assistance agencies:

The problems have to be really defined. It has to be very specific. You were discriminated against. Exact words. I didn't see how far I could go with it. If I don't see what benefit I get out of it, I just leave it, forget it.

A perception of discrimination and stereotyping of natives, built throughout these respondents' lives, was carried into their impressions of justice. It is not surprising that respondents in this group felt unequal before the law and had limited respect for the law, as they saw it administered.

Average Canadians? There's a law for the rich and a law for the poor, first of all. A law for the whites and a law for the natives. The same laws just applied differently.

They put a lot of emphasis on something that's not really all that bad. Then you get another case that's really bad, then they'll not do enough about it. It's not really fair.

I respect it to a point. I respect the fact that I can go to jail, so I stay out. I don't break it.

H. WINNIPEG - GROUP 8 - SOCIAL INTERMEDIARIES

The Winnipeg group of "social intermediaries" contained a cross-section of professionals working in schools and social agencies. These included individuals from a native transition centre, a non-government immigrant assistance group and a women's centre. A cleric counsellor, a worker with the family court, several guidance counsellors and a community development worker attached to a junior high school completed the group. Their training, combined with first-hand

experience with disadvantaged clients, produced strong, well-articulated views.

Participants in this group were unanimous in feeling that their clients did not know enough about legal issues. As a result, these teachers, counsellors and advocates reported spending a great deal of time helping clients learn their rights and pursue their cases through government agencies or the courts.

Where I work, that's a major issue. Women are always coming in not knowing what their rights are. We have to work through the system to try to find out.

I seems that some people have to go through several different agencies just to find out what their legal rights are. And then, even when they do find out, they need an advocate to go with them to ensure that those legal rights are carried through -- so that they are not taken advantage of.

The kids don't know what their rights are, and a lot of people aren't familiar with the Young Offenders Act. If you can hook them up with someone -- a lawyer, the referral process, maybe getting out your own network of lawyers you know are good with kids. But that's hit and miss.

The women don't know their rights and it really is frustrating for agencies like ours where ... staff try to figure out the whole legal system, and that's not actually what we're there for. A lot of it is just plugging away through calls, trying to gain the information, going to the court, picking up what you can in the courts when you're sitting there as a support person.

Work experience and a general knowledge of legal principles enabled group participants to identify legal situations. However, many of them felt inadequate in pursuing the finer points of their clients' cases. Several expressed a need for more training for themselves and the staff at their agencies.

We're going to the courts with them and learning on the job. You and your staff become involved in the whole legal aspect. You're learning ... by going through with the community people [clients] that need the services.

There's been a lot of onus put on community organizations to try and figure out this whole legal system.

According to these social intermediaries, the law is not positively perceived in the communities where they work. Laws and regulations, while an integral part of their clients' lives, usually restrict rather than assist.

It's an integral part of their lives but it's not a part that is a resource to them. It's the opposite.

In our community [natives], the law is not viewed as the nice guy by any stretch of the imagination. ...

The community is only seeing [the police and lawyers] as very negative -- not as a support role that they're playing.

The court is very scary.

It's very intimidating. I find the whole [courtroom] procedure extremely intimidating and I'm supposed to be on top of it.

The issue of housing was raised as an example of the ineffectiveness of the law for natives, immigrants and other disadvantaged groups. While minimum standards for housing, and regulations about eviction, damage deposits and so on exist, these laws were not felt to be assisting the poor. Either the disadvantaged were unaware of the appropriate regulations, or the means to correct the problem was so lengthy or complex as to be unachievable.

The process for dealing with housing issues seems to be so cumbersome that they just end up not doing anything. A lot of

times when people want to know their rights around housing, they get referred to the Landlord and Tenants. They phone there and they're told "send in this type of information and then two months later, we'll see". Some people just get discouraged and say "forget it". ... To find out what their rights are -- to get their damage deposit back, repairs.

People move. Instead of wanting the repairs and fighting with the landlord, they give up.

The governing body that oversees housing developments is a real issue for some. It's not that they're fighting just a single landlord, they're fighting a bureaucracy.

While the social intermediaries in this group were clearly better informed than their clients about legal issues, they did not have an extensive knowledge of sources for legal information. A few had used Dial-a-Law or pursued a complaint through the Human Rights Commission. But the majority of comments about legal information addressed police initiatives in schools or in communities. These two types of programs were the most salient legal information initiatives in the minds of the Winnipeg social intermediaries. Police programs, such as community policing and school speakers, were felt to be effective and necessary.

By way of contrast, the courts were felt to be out-of-touch with disadvantaged individuals.

Judges and lawyers. I don't feel that lawyers and judges have the proper training to understand what the majority of people that I work with feel. A judge asks or ?? the lawyers are talking to their clients who maybe don't understand the language very well, certainly don't understand the law, and don't understand the legal implications of what's going on around them. Then they get asked the question "Do you understand what I'm saying?". They don't, but you don't say that. Courtrooms are full of people. It's sort of like the kid in school who doesn't know the answer.

The legal system has to somehow get a better understanding of the people that they're dealing with. What exactly their feelings and thoughts and understanding is of what's going on in the legal system. They kind of assume that because they're well schooled in the whole thing, that everybody else there is. And that's not the case at all for a lot of people.

While better-off individuals might have good legal representation to explain and mediate in court, clients seen by these counselling professionals were often felt to be disadvantaged by lack of legal advice.

Law is so discretionary. ... People are quite often going by "well, this happened in [her] situation", but it doesn't mean it's going to happen in your situation, so you're getting wrong information.

With Legal Aid, you have to earn a certain amount of money and an awful lot of people fall through the cracks, earning just over the maximum. But they can't afford a lawyer because they don't make enough money for a lawyer.

The working poor are in a real bind. ... They don't get a lawyer ... or they get a lawyer and go into debt.

The social intermediaries in this group saw a strong need for community-based sources of information that would be truly accessible to extremely disadvantaged clients. The definition of community, as it originated from their clients, was quite narrow. It meant one's immediate neighbourhood or the area in which one's ethnic group was located. Having to take a bus or go to a large government building downtown were cited as significant psychological barriers to use of information or advocacy services.

I think it's extremely important [that programs be community-based]. One of my frustrations in dealing with funding is they always talk about duplication of services. I like to put it back to them. Anybody, whoever they are, shops in the stores right

around [their home]. Everybody goes within their own community. Being community-based is even more important in an area where you have a high poverty rate. Very basic things such as transportation costs, babysitting costs [are a barrier], so it's even more needed.

It's okay for an English person to go to an English [shelter for battered women] in Winnipeg, but you know, if you're French and you're really frustrated, or if you're really suffering, you want to talk in French.

In the community, I work with, you practically have to take these people – because of their [low] self-esteem – you have to take their hands and guide them to the proper places. So, I would like it accessible where I could get it.

Group participants had no difficulty listing areas where their clients needed more information – basic human rights, welfare rights, child welfare laws and the Young Offenders Act were all cited. Information in their clients' own languages was also raised as a requirement. For one of the respondents, a great deal of work remained to be done.

There's a whole [legal] system out there, and then there's a whole other system of non-profit people who try and humanize that system.

I. VANCOUVER - GROUP 9 - URBAN NATIVE PEOPLE

The law affects me as an Indian every moment, every hour of the day, but it's not noticeable. ... It's all behind the scenes, off somewhere else in somebody else's hands. The repercussions from it affect my health, my welfare, my hands, my money, everything I can do and yet, I have absolutely no input into it. ... It's a very abstract thing that governs my whole life but is far removed from me.

Although this articulate expression of his position vis-à-vis the law might have come from a disaffected, white, middle-class Canadian, the source was, in fact, a politically-aware Vancouver native businessman. The remoteness he described was not just the distance created by lack of knowledge or access, but the cultural effect of Indian history. He and others in this group went on to describe the impacts they, as natives, continued to feel today from unresolved land claims, their special status, jurisdictional disputes between levels of government, and over-regulation that was, in their minds, unjustified. All these are disputes which cannot be resolved at the individual level. Thus, the law, as it affects them personally, was felt to be far outside their grasp.

The problem I've seen a lot of people run into, native people in particular, is that they don't really know very much about the law until they're faced with some infraction. They're forced immediately into trying to learn about what's going on. ... They don't know whether the court case is a federal responsibility, a provincial responsibility or a civic, municipal responsibility. It is totally unclear because all Indian reserves are federally designated property and owned by the Crown --the laws don't necessarily apply equally -- the municipal, provincial or federal laws. If it's something of a personal nature -- whether custody of your children or even custody of the house -- there are some problems that are far reaching because the land itself is federal land. It's not the individual's land.

This group was comprised of well-educated, well-travelled natives from several different bands in British Columbia. Among participants were a businessman, a special education teacher's aide, an administrator/business consultant and a student at the University of British Columbia. Two others had recently taken government-sponsored secondary school upgrading. For a number of participants in this group, awareness of the law was very high because of their interest in politico-cultural issues.

There were two themes consistently underlying much of their discussion and their personal experiences. The first was the certainty that those administering justice to natives had a bias against native peoples, and that this prejudice arose from and was, to some extent, supported by Canadians as a whole. The second theme questioned the legitimacy of much of Canadian law to regulate native life.

As with other groups of natives in other cities, these participants had numerous personal examples of negative encounters with the police.

From my earliest memory, I was told to shy away and hide from it [the law], not knowing why or what's going to happen if I showed myself or confronted this individual.

When the police officer comes around, you've got to head for the hills. .-

The police don't know anything about the law. They're strong-arm boys that enforce the rules. They're bully boys, that's how they get the job. You've just got to watch your ass 'cause they can do anything they want, especially if you're an Indian.

The things that you see going on around reserves -- if they tried that in the white community, they'd be gone. ... There's nothing you can do about it.

Negative perceptions extended to the courts. Often lawyers and judges, even lawyers acting on their behalf, were felt to be the opposition.

If anything happened to me ... and I was taken before a judge, I would swear up and down that I wasn't an Indian. ... Therefore, I could walk, whereas, if he found out I was an Indian, I might get ten years.

I had to go to the Supreme Court and I felt there was a lot of prejudice. "Are you sure this happened?" He was getting mad at me 'cause I was telling the truth. There were two of us that

were testifying against one [white] guy. He ended up getting off. I don't know what happened. ... It's the feeling that I had when I went into court. Everyone was looking at me - they didn't believe what we had to say.

Lawyers being appointed and not really qualified to take on the job. You do get the short end of the stick. They not only get appointed to you, they're talking with the judge, they're talking with the prosecutor. [The lawyer says] "You got to let me have it honestly so I can do your case". When you let the guy have it honestly, he's making deals with the prosecutor and the judge. Then, you have to fire the guy because whatever you've said is being used against you.

The problem isn't just with the legal system. It's with the mentality of Canadian society ... I've seen great changes [in last ten years], but it's got to come a long way yet.

[The only time I used a lawyer] it was for custody of my son. I told them I wanted my son out of the environment because his father was drinking and doing drugs. She told me "Well, this is what happens in your people's [natives'] families". I just walked out of there. She apologized over the phone, but I felt really uncomfortable with her after that.

Participants returned repeatedly in the discussion to the history of natives in Canada - the creation of reserves, the role of the clergy and government administrators on the reserves, the residential schools. In the view of several participants, past events argued strongly for a different legal system from the present. While participants in the Winnipeg native group had demonstrated passivity in the face of abuse of rights, several in this group had a philosophy closer to passive civil disobedience.

People's attitude is that we're [natives] getting something for nothing. That we're a bunch of lazy bozos - the words aren't quite that kind but to that effect. They don't feel that what has happened previously to us, and more importantly to our

ancestors in the last 100 years, is of any consequence now. ... To us there is.

That whole thing isn't that far removed. When was an Indian allowed to buy liquor, 1954?

The reasons for native passivity of response was extensively discussed by this group with two points of view emerging. One referred to the "cultural" differences between natives and whites, while the other looked at the impact of history. Both were revealing.

On our end, there's no legal entity that will press these things. 'Cause the Indian is not that way. The system that is set up for them does not even give them that opportunity -- we're culturally different.

We were at one time people who did things right. We were here for a long time. [Indians with spirit] were all killed off a long time ago. After the turn of the century, those that showed any resistance were run right off the reserves by the priests and the government agents. You had to just shut up and do what you were told, and that's the end result of it now. With no education, there's just a wall. Stop. Frozen. They don't do anything. No one puts the initiative together to say this is what we can do, this is what's going on. That does not happen in our communities. ... That comes mostly from the fact that we are controlled by outside forces. ... It's kept the colonizing effect.

You look at the overall picture with that process [of charging natives for fishing out of season]. There you have the colonizing effect again. These people are just standard working-class people but they all have a record, now. Every year, more and more are charged. That never comes up that [the charge] was a fishing deal. That's a record, ... therefore, all your rights begin to disappear. All kinds of things can happen to you without anybody saying anything.

This broadly-held social attitude was reinforced for several by experiences where knowing one's rights did not guarantee they would be respected.

I had a run in with an officer once and I went in to complain about him right up to the top guy in the ___ police that was available at the time. I found that for the amount of effort and time it takes, it's not usually worth what the end result is going to be. If you've been hurt, it's different. But if it's just a roughing up, or if you think you've been hauled over for no reason simply because you're a minority ... it's not worth your time to go in and complain. ... He ended up getting his wrist slapped over it.

My husband had gone on a bike ride with some friends 'cause he had just bought this new mountain bike. They were biking in West Vancouver and the police pulled them over. He told them all to get off their bikes and he went and inspected them. My husband's happened to be the [brand] name they were looking for. They even had a number -- apparently all the bikes have this same number. He threw the bike in the trunk of the car. He roughed up my husband a bit and threw him in the back. Handcuffed him and everything, over a stolen bike. They kept him for I don't know how many hours. They phoned up to the bike shop. ... The police brought him home to get his receipt for his bike. There was a faint apology afterward, but I really felt we should have done something. But I think the general attitude is why bother, it's not going to get anywhere, it's not going to do any good.

Besides a basic knowledge of many aspects of the law, several participants in this group were also aware of many sources of legal information. Legal Aid, a case review and referral service operated from the Law Library, referrals from a native service group, UBC law student consultants, and the People's Law School had all been used by these participants.

It's referral service. You get 15 minutes with a lawyer, or 20 minutes, and you pay \$10.

They have that at UBC as well but the people who are giving you the advice aren't lawyers yet -- they're law students. So, they aren't really held responsible for their information, I guess.

[People's Law School] -- it's really quite good. If you have the time and you can read, you can sit in there and they will give you good information -- just where to find the books, what you need. They know the different situations. ... It tells you where to go to get the forms to fill out for the different types of legal action you can take.

But, despite their apparent knowledge of the law and ability to marshal resources if necessary, all participants in this group seemed to feel that a lawyer was necessary for any legal dealings.

... You can really prepare yourself so that you have a leg to stand on. [But] when it comes down to it, you still have to get this lawyer somewhere.

You can know quite a bit [about your rights] but you still need the lawyer to process everything. He doesn't have to even open his mouth but he has to process everything.

Finding a "good" lawyer was also heavily emphasized. Although there was passing mention made of law specialties, participants generally equated a lawyer's skill with his or her cost. This led to some very cynical views about the role of the lawyer in the judicial process.

You go to the fella's office. You can tell what kind of lawyer he is just by how his office is. If he's got the company books laying on the floor in stacks, if he's badly dressed ... you know he's slipshod. You just ask them a few questions. Most of them don't know anything about Indian law.

Money buys the law. That's the end of the story. If you have enough information, and enough business sense and connections, you can't put it [money] anywhere. You can buy the police, you can buy the witnesses, you can buy the judge. And that's the law.

I don't think it even comes down to a matter of culture or race because you can see it across the board. There are wealthy orientals, wealthy natives. It doesn't matter who it is. That's the way the world works. It just depends how much money you have because that's going to affect who you know and who you can get advice from.

Thus, lack of knowledge or cultural values were downplayed as barriers to effective use of the justice system. Lack of access because of limited resources was perceived as a key stumbling block.

Nevertheless, knowledge of one's rights and of how to use the law was recognized as essential when dealing with bureaucracies. Two of the younger participants described their methods for ensuring success when dealing with government offices:

It's incredible trying to deal with those people [UIC officials]. They say they're there to try and help you and then they give you all the rules and regulations. ... I was getting really fed up. So, I would make them explain to me two or three times until it made some sense, because it was affecting me so harshly.

The sooner I learned how to deal with that particular department -- the ins and outs, who to ask for, and how demanding to be with the questions -- then the quicker you're going to be getting through. You almost have to be rude. You can't take no for an answer. If you do, it's the end of discussion. You're stopped there. You got to be aggressive with them and be angry. Then, they put you through.

J. VANCOUVER - GROUP 10 - WORKING POOR WOMEN

Ten women, all of whom were sole-supporting and had dependent children, constituted a group of the working poor. While all were currently employed or attending school, many had experienced unemployment or had been receiving social

assistance payments at some time in the past. The women in this group had extensive experience with the law and the most knowledge of any group about lawyers and other sources of legal information. They were, however, as a whole, extremely critical of the administration of justice as they had experienced it.

Unlike some other groups, several participants were careful to make the distinction between the law as it is written and as it is executed.

The law is okay now, it's just the implementation of it that's so bad. The law says a man should support his own children and so on.

I believe we need laws. They're really important and most of them are there to protect us. But people can turn them around, especially people who have money. The lawyers are the ones who manipulate the law as far as I'm concerned.

It's not necessarily the law that's unfair. ... But when you go to represent it [what the law says you're entitled to], it becomes a game and a power play.

Participants' experience spanned family law, consumer law, corporate law, and contacts with social welfare regulations. Their most vivid experiences arose from divorce or child custody disputes. Their numerous experiences in these contexts had left them with little faith in the system by which laws are administered. They expressed frustration that the courts were unable to enforce decisions, such as the maintenance payments from estranged spouses. A second source of criticism was excessive delays before cases would get to court.

My husband has a very good business, but he is able to hide his finances because it is a private business. Although the separation agreement was written up two years ago for \$300/month in the winter and \$450 in the summer months, I've only received \$300 twice. There's nothing I can do. I've gone

to two lawyers. They said we'll bring him into the court, we'll see what we can do. But, I've been the court route. It gets remanded. Then, I get a little bit afraid of what my husband might do because my son had been kidnapped by him once already. There is really basically nothing out there for a single woman.

It took almost two years before it went to court and before they brought in the two. It was a hit and run, and one ended up getting off and the other one ended up with practically nothing. It takes so long for these guys to get them into court. By the time they do, everyone's forgotten what's happened.

I got a new trial on a technicality and I won. He was supposed to pay \$500 a month. He ended up in jail many times for failing to appear in court -- the whole scenario. And, I still don't have a dime.

As in some other groups, criticism was levelled at lawyers and judges who were felt to be hindering rather than facilitating administration of justice -- or a least failing to recognize the human aspects of the cases they were seeing.

The judges and the lawyers need a little bit of education in what the real world is like.

This woman judge who felt that she could tell me what my life was and what I could earn. I felt really intimidated, angry at her because she had done so well for herself that she could expect that I could do exactly the same with a couple of kids.

Lawyers have the same guideline for all women concerned. They don't look at the personal lives of women. They just say "He's not paying maintenance, here's a court order. You go into court and he's ordered to pay or else he'll face a lengthy prison sentence." Well, it doesn't work that way.

The lawyers -- I don't think they really know exactly what has happened. They're presented with a case ... "Here it is, now deal with it". They may see you once to ask you some questions and

that's about it.

Yet, despite these criticisms, lawyers were widely perceived as the best insurance against an unsatisfactory outcome in a legal battle.

Everybody says you've got to get a "good" lawyer and it seems that's the way it is. It seems a shame that that's the way our society has to work. Whether you get off or not on a particular charge depends on how much money you've got to pay for a so-called "good" lawyer ... a smooth talker — who's smarter than the Crown counsel.

I wish I knew the loopholes that my husband does. I wish I had the money for an expensive lawyer like he has. That's the basic issue right there.

As in the native groups and the Halifax group of low income earners, access to a "good" lawyer was seen as a major roadblock to having their legal rights upheld. However, this group, unlike most of the others, had frequently used lawyers of various types and sources. Legal Aid lawyers, law students, lawyers registered with a referral service and private-practice lawyers had all been used. Some participants had used several types. Their appraisals of the strengths and weaknesses of types of lawyers appeared more firmly based on actual experience than in other groups.

This group was also by far the most resourceful in attacking legal problems on their own. Several related experiences in which they carried out their own research, sent correspondence or pressed bureaucracies and politicians for action. Examples included several women who carried out the largest part of their divorce proceedings on their own, and one who successfully argued for an increase in maintenance payments without a lawyer. Another resolved a dispute with a car dealership by writing letters to members of the company's Board of Directors. A

fourth lobbied for limits to pollution coming from nearby factories. Another had pursued a debtor through Small Claims Court.

Several, however, demonstrated somewhat less self-assurance in resolving custody and maintenance disputes. One woman whose child was born after a marriage breakdown rejected child support payments, without legal advice, using the justification that if she took no financial assistance, the father would have no rights. Another participant remarked:

No matter how strong my case is, I don't have the confidence that I could go and fight it successfully without a lawyer if the other party had one.

Knowledge of means to access legal information was high among this group. At least one participant had used each of the People's Law School, Legal Aid, a legal referral service, the Law Line, or was familiar with PLEI publications.

Areas for which participants needed additional information mainly revolved around regulation of social programs. Participants expressed frustration with the trial and error process of learning "the rules" about social assistance, student loans, daycare subsidies, unemployment insurance and the like.

I have had dealings with social services and they've all been mostly unpleasant. It's a major bureaucracy. If you tell them the truth, you end up being out on the street. I've had to learn to stretch my truth around some facts so that I would fit in and be allowed to have this ... money.

They don't tell you all the benefits that you can get. They didn't tell me about medical [coverage]. I was paying my own medical.

There's nothing [no information] about student loans. It's really hard to get hold of them. You can't talk to them on the phone,

so you're inconvenienced all the time. You're constantly standing in line-ups for forms that somehow Victoria never receives. They keep you waiting.

[At UI] they pull your file and look at things, but they won't actually tell you the "what ifs". They won't give you some scenarios. You make a decision and then you take what they tell you you're getting.

There's a need for somebody -- not just an advocate -- but for somebody to actually write down what your rights are when you're on welfare. The welfare workers are not going to give it to you for a reason -- presumably they've been told not to. If they just handed out a sheet or if it were required that they say "These are your rights".

To the last comment, two participants recalled a PLEI publication called "Know Your Rights", which they said was kept up-to-date and "tells you, in general, what you're allowed and what you should ask for".

In summary, because of their personal experiences in the area of family law, most of these single-parent working women had cynical views about fair treatment and equality before the law. Despite their relatively high level of access to information and professional representation, despite their own successes in resolving civil disputes, many felt that the law was more to "trip you up" than "help you get what you deserve".

K. KAMLOOPS - GROUP 11 - NON-URBAN NATIVE PEOPLE

This group of nine native people living in the Kamloops area consisted of men and women in their twenties, many of whom were attending the local community college. Perhaps because they did not have the anonymity of coming from a large community, or perhaps because they perceived the moderator as "outside" their

community, they were more hesitant to reveal themselves in the group situation than natives in either Vancouver or Winnipeg.

The individuals in this group appeared to have less awareness of the law and less experience with the police or courts than was revealed in other discussions with native groups. Some level of distrust or apprehension about the law was cautiously expressed:

[The law] helps you in a lot of ways, but sometimes you don't know that it exists. You don't know what to do.

I think [the police] use it to their advantage. They intimidate people.

Myself, I'm scared of the law. I stay on this side and don't do anything bad.

When prompted, participants were able to recall some situations in which they would have liked to know their rights. One related the story of being taken into custody by the police while sleeping in his truck early one morning.

[We] need to know lots more. I've never had to use a lawyer yet. But there were times when my rights were not explained to me. I was in a holding cell for about three hours during which I wasn't told what I was being held for ... When they let me go they just opened the door and said "You can go now". They never offered a phone call.

[You find out about your rights.] ... Mostly after the fact. An example is, I was going to college in Alberta. I was driving to Alberta. I got stopped in B.C. They confiscated all my fish and my deer meat, then they let me proceed. ... It was thrown out of court because I had aboriginal rights, and they never returned it.

I was never compensated for the fish or the meat. I learned afterward that they were only allowed to take one sample of each, not the whole works.

Another example was given from the period when rent controls were in place in British Columbia:

[You] had to understand rent control, your rights with the rentalsman, stuff like that. I remember I had moved out, and I was fairly young and didn't really understand what was going on. ... There was a [housing] shortage in Kamloops and for a while it was really difficult. You had to understand your rental agreement.

Several participants had studied law in high school or as part of some college courses, but few could recall details of the curriculum. They also had little awareness of main-stream sources of legal information. Dial-a-Law, for example, was thought to be related to advertising for lawyers in the United States. Three sources which were suggested by participants were a lawyer available to students of Caribou College, native court workers and the B.C. Native Women's Society.

The lawyer at Caribou College, he'll handle things if students are having a problem - harassment from a teacher or something. Then he'll take it and it's free.

The native court workers were also suggested in discussions of the police and Legal Aid as sources of information. Native court workers were preferable according to one participant, because:

Court workers deal more on a personal basis - one-on-one - and it's a native person you're taking to, so you feel more comfortable from what I've seen.

The B.C. Native Women's Society was, according to several participants, a place where you could find out about your rights. It was thought to be part of the Canada Employment Centre and, although neither could recall display of any written material about the law at the Society office, it was said to "help find jobs and let us know about our rights".

Participants in this group had little experience with existing structures to assist citizens with legal complaints. None had used Legal Aid or the rentalsman, and there was little knowledge of the Human Rights Commission. Understanding of the role of Small Claims Court varied widely. One participant said there wasn't enough information available about it.

What is it exactly? Where can you find information?

However, another spoke knowledgeably about the procedure:

At the courthouse they give out pamphlets -- the package of what you have to fill out, what happens.

Another recounted a situation in which a friend resolved a dispute regarding non-payment of rent through Small Claims Court.

While they appeared to have little first-hand experience with the law, these native people had a clear perception that the law does not treat all people equally.

We get harassed. ... I hear of situations of natives who have been detained without being told why or read rights or given a phone call. You always see this in the movies -- you get one phone call but ...

In this context, there was some disagreement about whether "having money protects your rights". One participant felt that:

Money means better lawyers. Better lawyers means the RCMP have to have a better case.

When pressed as to whether information could be a replacement for money in safeguarding one's rights, the feeling was "Sometimes yes, [but] sometimes money speaks louder".

Reaction to a telephone line or walk-in centre to provide legal information was muted but positive. As in other groups, there was a strong preference for a live counsellor over a telephone recording. One participant offered an excellent example of a problem she would take to such a facility. She had received repeated bills from an auto repairs shop for work which she had not authorized.

I'm not going to pay for it. I didn't sign anything. I didn't ask them to do the work, and they keep sending me bills. But I'd feel stupid going to ask a lawyer. It's over \$100, and I'm not going to pay it. I don't know what I can do about it, they might just say "Go pay it".

However, looking at the content and tone of this discussion group as a whole, one might conclude that a PLEI facility would be unlikely to be used by these participants unless it was widely known and promoted through word of mouth, and could overcome their considerable self-consciousness. Utilizing native staff would perhaps address these concerns.

While most of the participants in this group were currently living in the city of Kamloops, several had the experience of reservation life. They raised concerns

similar to those expressed in the Vancouver native group about conflicting jurisdiction and lack of regard for special native rights and traditions.

There are times -- with fishing and hunting rights -- when game wardens, conservation officers do not tell you what you are being held for. Or they ask you questions that later I found out they have no right asking you.

We don't know where provincial laws and federal laws take over -- where one ends and the other begins ... The SPCA comes out with the RCMP and says "You guys are not feeding your cows, that is abuse of the livestock". They came out with a semi [trailer truck] and said "We're going to load up your cows and take them away". My dad told them to get off until they knew what they were talking about. Then they found out we [natives] feed [livestock] at night, and they came back and apologized. But they were ready to haul our cows away because they didn't know what we were doing.

... Traditional boundaries that natives respect, that the RCMP or conservation officers are not aware of, and they do not respect those boundaries.

For natives, in this context, it was not a matter of their ignorance of the law, but rather authorities' lack of awareness.

We've had [our] own laws for a long time. It has to do with families and politics [leadership] which is now on reserve, but before they were traditional territories. There were some things you did and didn't do.

I think it has to be more of a compromise. Not just us learning about the law, but the law trying to change to what we know.

L. KAMLOOPS - GROUP 12 - NON-URBAN SINGLE WORKING WOMEN

The ten women in this group from Kamloops and the nearby town of Pritchard were all single or single parents, with modest incomes. All were in service industry jobs such as retail sales, daycare work, and caretaking or housekeeping for pay. They ranged in age from a young woman one year out of high school to several with grown children and grandchildren.

Their experiences with the legal system included family law, labour law, tenancy rights, income tax and highway regulations. Often, perhaps more so than in other groups, participants also referred to legal cases which they had learned about through the media. These women, even the younger ones, had a sincere respect for the law.

Most laws are for our protection. If we didn't have laws to [make people] conform, life would be chaotic, wouldn't it?

Another young woman described the steps she took when she saw a local variety store selling crack pipes. This young woman displayed perhaps more than average commitment to the laws of society.

... they were selling crack pipes in there. So I went to the police station and I said "Well, if drugs are illegal shouldn't crack pipes be illegal? Doesn't that make sense?" They went and checked into it ... I complained to the owner of the store about selling crack pipes. I complained to her about three different times ...

However, despite their belief in the necessity and legitimacy of law, many of these women were disenchanted with the administration of justice as they observed it. Asked if "most people" respected the law, one replied, "They do until they have

something to do with it. Then they don't." There was a widespread perception that the law does not treat the rich and influential in the same way that it treats the poor and powerless.

Money talks in this city. If you have money, you get off or [get] help with anything.

I've always been poor and I've dealt with the law, and I've always got the short end of the stick. I have known people that are well-to-do and they get catered to and everything works out fine for them. A lot of times it's because they know people, and certain names in this town mean a lot.

Bail is such a silly system. If you have a rich family that can bail you out, then you're out scott-free in certain cases. And if you're poor, you can't get out. What sense does that make?

Respondents expressed scorn for judges and sentencing practices. They cited examples from the media, such as a sexual abuse case in which the judge held a preschooler partially responsible and a local lawyer who was leniently handled after speeding through a school zone at sixty miles an hour. One summarized her perceptions with:

They make their own rules, the judges. They don't go by the law. If they did, it might be a different story.

In relating their own experiences in court, largely for family breakdown, the older women expressed feelings of helplessness and ineffectiveness.

It was a process that I really didn't understand a lot about. All I knew was that I had three children to try to clothe and feed, and he was getting off scott-free.

The lawyers, they pull you -- you just feel like a real puppet. You're just being jerked around from place to place

Unless you have the funds with which to fight a battle in court, the lawyers just make a mockery of you. ... I don't have the funds with which to really fight and to obtain justice for myself. I find it extremely frustrating that a person is placed in that situation.

I find that being a woman, they don't take you seriously. ... I'm not one of those people that screams and shouts and rants and raves and makes a great big fuss. I expect that when I voice an opinion ... I should be treated sincerely and with a bit of respect, and taken seriously.

Some of the older women, who had more life experience, had also had contact with the police. Cases were related in which the police were perceived to be effective in safeguarding rights -- after a participant was hit by an impaired motorcyclist -- and somewhat less helpful -- after home break-ins. Overall, however, the police were not viewed as a reliable source of assistance or legal information. Negative perceptions ranged from "their hands are tied" to a sense of regret on the part of one woman who had allowed the police to question her 13-year-old son about neighbourhood break-ins.

They said they would have to take him down to the station for questioning. ... They took him, and I didn't really know what to do. ... They took all his fingerprints. ... It could have really put him off for life, but it wasn't him at all. I let him go primarily because I thought "Well, this'll teach him a lesson", but all it taught him was that the police can pick on you. Now I find out that I shouldn't have let the police take him in the first place.

At least half of the group had used lawyers, either those in private practice or those obtained through Legal Aid. Again there was a lack of understanding and some

suggestion that these clients had been unable to make effective use of a lawyer's services.

My dad died in probate. We had an executor that didn't know what he was doing. We had over \$1,000 in bills that we paid, and we couldn't afford to pay any more. And we are right where we started from. Because we were young, they didn't listen to a word we had to say. Because we didn't have enough money, they billed us until [we ran out]. Then they said "When you get some more money, you call us". ... I think they didn't earn the money we paid them.

I went [to Legal Aid] for my divorce, and I wasn't eligible. ... I wasn't in major harm. ... They said it had to be that he was abusive [before Legal Aid would take the case]. I waited for [my husband] to pay for a lawyer.

When you're paying legal fees to a lawyer, you feel that he's the knowledgeable one. He should be guiding you through the process.

As these experiences might suggest, participants had little basic knowledge of the law or of specialized sources of legal information. Two younger participants had taken a law course in high school and were able to recall a number of its highlights. However, they did not translate what they had studied into knowledge with practical applications today. One of the parents suggested that a certain amount of law was contained in a high school Consumer Education course which her child had taken.

None of the participants in this group were aware of the functions of either the Human Rights Commission, the provincial Ombudsman or Small Claims Court. No one knew of community resources specifically set up to provide legal information to the public. Suggestions of sources to consult about such a problem included the library in the Law Courts, the Elizabeth Fry Society, the Women's Resource Centre and a single parent support group. One participant thought she recalled seeing a

newspaper ad for Dial-a-Law, and others were aware of lectures on legal topics put on by "Legal Services of B.C." at the local health centre. Another participant had purchased a book about the law, which she described as having "a little bit of everything". Generally, however, it appeared that personal contacts and word-of-mouth would be the primary resources for this group.

The concept of a law information telephone line received some interest, although, once again, there was a preference for interaction with a counsellor over recorded messages. A walk-in centre also got positive responses, but access to a single location was a problem for those who did not drive.

Overall, these participants subscribed to a value system which respected and obeyed the law. Their frame of reference, which included both their own experiences and cases reported in the media, lead them to feel almost powerless to protect their rights and use the law to their advantage. Unlike some other respondents, these individuals were not discouraged to the point of inactivity. However, they were not knowledgeable about the legal resources available to them and would likely have difficulty in quickly locating an appropriate information source or advocate.

APPENDIX A
PUBLIC LEGAL INFORMATION
AND EDUCATION
FOCUS GROUP DISCUSSION GUIDE
FINAL VERSION

PUBLIC LEGAL INFORMATION AND EDUCATION

FOCUS GROUP DISCUSSION GUIDE

FINAL VERSION

Warm Up

- ♦ Introduction of the topic; the reason for study
- ♦ Objective of study to get "man/women on the street" view of the law - how the law affects people
- ♦ Explanation of confidentiality, reasons for recording, viewing glass
- ♦ Guidelines for participation - need for candor; importance of all participants having an opportunity to express themselves
- ♦ Round the room introductions - name, what you do, family status

I. PERSONAL FRAMEWORK

A. Awareness and Experience

- ♦ Can you think of some examples of things that have happened to you or that you had to deal with, that involved the law or legal issues?
- ♦ Would you say that the law or legal issues are a part of your life or do they not touch you very much?
- ♦ Would you say you know enough about legal things to get along okay in life or do you wish you knew more? In what areas?
- ♦ Would you say that the law is mainly something to stay away from (that trips you up) or something that's there to help people get what they deserve? Why? Can you give an example?

B. Broadened Legal Definition

- ♦ When we think of the law sometimes we think of things you could be arrested for, or at least get a traffic ticket for, but there are other things that governments make rules or regulations about that sometimes touch our lives. I'm thinking about regulations about housing, or safety in the workplace, or immigration, even hunting and fishing regulations - anything

like that where there are rules and regulations. Have you had any experiences yourself of these types of situations where certain rules or regulations affected you?

- ♦ *(Probe for cases where they were beneficiaries of regulation.)* Would you say that those types of rules and regulations are generally helpful to people like yourself or do they not benefit you?

II. ACCESS TO LEGAL INFORMATION

- ♦ Have you ever had a problem that you were trying to solve, that you discovered had a legal part to it? How did you discover the legal aspect? What did you do to solve it?
- ♦ If you needed some help with a legal question who would you ask first? Who could be the most help?
- ♦ Where can you get information about the law when you don't need a lawyer?
- ♦ *If only family and friends mentioned* What if you were embarrassed to ask your friends or family or they couldn't help you. Are there other ways to find out about laws or regulations or legal problems?
- ♦ Have you ever heard of any legal information telephone lines? Places you could go where they give out information? Counsellors?
- ♦ Has anyone ever used a hot line/counsellor/or information centre for legal information? How did you find out about it? What happened? Did they help you? How do you feel about going there? Afterward?
- ♦ There are some other positions and offices that sometimes deal with legal problems on behalf of people. Can you think of any? *(Probe for awareness of and experience with small claims court, provincial ombudsman, rentalsman or tenant advisory board, human rights commission etc.)*
- ♦ What kinds of problems do they get involved with? Do they usually deal with people like yourselves or do they mostly help some other kinds of people? Who?

III. IGNORANCE OF OR ABANDONMENT OF LEGAL COURSE OF ACTION

- ♦ Have you ever had a problem that you had to deal with, say, with something you bought, or on the job, or with a government department, and found out later that there were laws or regulations that could have helped you? What were the circumstances? What did you try to do to solve your problem? How did you feel? How did you find out that there were laws/regulations that applied?
- ♦ Have you ever had a "legal" type of a problem which you tried to resolve, but finally gave up on? What were the circumstances? What did you get to do to solve your problem? Did you get anyone to help you, e.g. lawyer, counsellor at a special agency? What made you decide to stop pursuing the problem? Were you discouraged? Confused? Was money an issue? Were there delays?

IV. ATTITUDES TOWARD LAWYERS

- ♦ Are there some legal problems that you can solve without a lawyer? What kinds of problems can a lawyer help with?
- ♦ Are all lawyers the same? Can any lawyer handle any type of legal question? What types are there?
- ♦ Have you ever used a lawyer?
- ♦ *If yes* How did you get his or her name? Do you think the lawyer helped your situation? Did you understand what the lawyer could do for you? Did he/she explain this to you? Would you say that you understood each other?
- ♦ *If group members have little or no experience with lawyers* How would you find a lawyer if you needed one? In what ways can they help you?

V. ATTITUDES TOWARD THE LAWS - COMPLIANCE AND RESPECT FOR THE LAW

- ♦ Do you think that there are too many laws in Canada which interfere with your life? Which ones would you get rid of?
- ♦ Do you think that average Canadians get fair treatment by the law? Is everyone equal before the law, in your experience?

-
- ♦ Some people feel that the justice system doesn't treat average Canadians with respect and sensitivity, others complain that the system is too accommodating. From your own experience, which would you say is more true?
 - ♦ Do you think that most people like yourselves respect the law? Why? Do you ever worry because you want to obey the law but you're unsure of exactly what the law is? In what situation?
 - ♦ Are there times when it's okay to overlook laws or regulations? Which ones? Under what circumstances?

VI. ADEQUACY OF LEGAL KNOWLEDGE

- ♦ Finally, to wrap up, would you say you know enough about the law to manage well in every day life? (If not) What aspects of the law or the legal system would you like to know more about?
- ♦ What about your children? Do you think they will be more aware of their rights and the law than you? Should they be? Why?
- ♦ What would be the best way to provide legal information to the public? Where should these resources be advertised so that people would become aware of them?

SENIORS - SPECIAL ISSUES

- ♦ Widows - What is impact of lack of experience or confidence in dealing with authorities and lawyers?
 - ♦ Those in nursing homes/confined to own home - Is there adequate knowledge of rights, access to means to get assistance/fair treatment? Fear of reprisals if complaints raised?
 - ♦ Disabilities - Do limited sight or hearing, physical handicaps make it more difficult to acquire legal info? Examples?
 - ♦ Reticence to accept assistance - Are they unwilling to use publicly-supported services?
-

APPENDIX B
PUBLIC LEGAL INFORMATION
AND EDUCATION
FOCUS GROUP DISCUSSION GUIDE
INTERMEDIARIES



PUBLIC LEGAL INFORMATION AND EDUCATION

FOCUS GROUP DISCUSSION GUIDE

INTERMEDIARIES

Warm Up

- ♦ Introduction of the topic; the reason for study
- ♦ Objective of study to get "man/women on the street" view of the law - how the law affects people
- ♦ Explanation of confidentiality, reasons for recording, viewing glass
- ♦ Guidelines for participation - need for candor; importance of all participants having an opportunity to express themselves
- ♦ Round the room introductions - name, what you do, family status

I. PERSONAL FRAMEWORK OF CLIENTS

A. Awareness and Experience

- ♦ Can you think of some examples of things that have happened to your clients/students, that involved the law or legal issues?
- ♦ Would you say that the law or legal issues are a part of their lives or are they not touch them very much?
- ♦ Would you say they know enough about legal things to get along okay in life or do you wish they knew more? In what areas?
- ♦ Would you say that the law is mainly something they want to stay away from (that trips them up) or something that's regarded as there to help them get what they deserve? Why? Can you give an example?

B. Broadened Legal Definition

- ♦ When we think of the law sometimes we think of things you could be arrested for, or at least get a traffic ticket for, but there are other things that governments make rules or regulations about that sometimes touch out lives. I'm thinking about regulations about housing, or safety in the

workplace, or immigration, even hunting and fishing regulations - anything like that where there are rules and regulations.

- ♦ Would your clients or students have had any experiences of these types of situations where certain rules or regulations affected them?
- ♦ *(Probe for cases where they were beneficiaries of regulation.)* Would you say that those types of rules and regulations are generally helpful to people like your clients or do they not benefit your clients? Why?

II. ACCESS TO LEGAL INFORMATION

- ♦ Have you ever had a problem that you were helping a client to solve, that they discovered had a legal part to it? How did they discover the legal aspect? What did they do to solve it?
- ♦ If your clients needed some help with a legal question would they ask first? Who could be the most help?
- ♦ When would they come to you for assistance?
- ♦ Have you ever heard of any legal information telephone lines? Places you could contact where they give out information?
- ♦ Have you used or have any of your clients ever used a hot line, counsellor, or information centre for legal information? How did you find out about it? What happened? Did they help? How did your client feel about going there? Afterward?
- ♦ There are some other positions and offices that sometimes deal with legal problems on behalf of people. Can you think of any? *(Probe for awareness of and experience with small claims court, provincial ombudsman, rentalsman or tenant advisory board, human rights commission etc.)*
- ♦ Are you clear on their roles and jurisdictions? Do they usually deal with people like your clients or do they mostly help some other kinds of people? Who?

III. IGNORANCE OF OR ABANDONMENT OF LEGAL COURSE OF ACTION

- ♦ Have any of your clients/students ever had a problem that they had to deal with, say, with something they bought, or on the job, or with a government department, and found out later that there were laws or regulations that could have helped them? What were the circumstances? What did they try to do to solve the problem? How did they feel? How did they find out that there were laws/regulations that applied?
- ♦ Have any of your clients/students ever had a "legal" type of problem which they tried to resolve, but finally gave up on? What were the circumstances? What did they try to do to solve the problem? Did they get anyone to help? e.g. lawyer, counsellor at a special agency? What made them decide to stop pursuing the problem? Were they discouraged? Confused? Was money an issue? Were there delays?
- ♦ Was "the runaround" a problem? If yes, would you say that your students/clients had a problem with the "gatekeeper" (i.e receptionist, screening clerk) at the organization or with a professional (i.e. counsellor, etc). Were they incorrectly referred?

IV. ATTITUDES TOWARD LAWYERS

- ♦ Are there some legal problems that your clients can solve without a lawyer? What kinds of problems do they need a lawyer for?
- ♦ Are all lawyers the same? Can any lawyer handle any type of legal question? What types are there?
- ♦ Do many of your clients use lawyers? Why or why not?
- ♦ *If yes* How did they get his or her name? Do they usually think the lawyer helped their situation? Do they understand what the lawyer can do for them? Does he/she explain this to them? Would you say that they understand each other?
- ♦ *If group members have little or no experience with lawyers* How would they find a lawyer if they needed one? In what ways might lawyers help your clients?

V. **ATTITUDES TOWARD THE LAWS - COMPLIANCE AND RESPECT FOR THE LAW**

- ♦ Do you think that there are too many laws in Canada which interfere with your clients' lives? Which ones would you get rid of? What would your clients or students say?
- ♦ Do you think that average Canadians get fair treatment by the law? Is everyone equal before the law, in your experience? Again what about your clients/students?
- ♦ Some people feel that the justice system doesn't treat average Canadians with respect and sensitivity, others complain that the system is too accommodating. From your own experience, which would you say is more true?
- ♦ Do you think that most of your clients/students respect the law? Why? What do your clients/students say? Do they ever worry because they want to obey the law but they're unsure of exactly what the law is? In what situation?
- ♦ Are there times when clients feel it's okay to overlook laws or regulations? Which ones? Under what circumstances?

VI. **ADEQUACY OF LEGAL KNOWLEDGE**

- ♦ Would you say your clients/students know enough about the law to manage well in every day life? (*If not*) What aspects of the law or the legal system should they more about? How much would you say you know about these topics? Which laws apply? Are there any agencies that deal with these types of problems?
- ♦ Given the groups of people you work with how could information be provided effectively? What would work with your clients/students?

APPENDIX C

**PUBLIC LEGAL EDUCATION
AND INFORMATION**

FOCUS GROUPS

RECRUITING SPECIFICATIONS

FEBRUARY 13, 1990



PUBLIC LEGAL EDUCATION AND INFORMATION FOCUS GROUPS

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Montreal

- ♦ One group of Black participants (largely Haitian).
- ♦ One group of francophones who are over 60 years of age and are not employed full time i.e., retired or working part time are acceptable.

Halifax

- ♦ One group of high-school age youths (i.e., 15-18 years) who were born in Canada or immigrated more than five years ago. Maybe in school or employed.
- ♦ One group of adults (18-60 years) who are not currently employed, i.e., unemployed, employed part time, students or out of the labour force, whose family income falls below the "poverty line"; defined as follows:

Single person	- under \$11,000
Two person family	- under \$15,000
Three person family	- under \$20,000
Four person family	- under \$23,000
Five person family	- under \$26,000
Six person family	- under \$28,000

- ♦ No more than half female in each group

Toronto

- ♦ One group of adult women who have immigrated to Canada in past five years. No more than two of same nationality, if possible.
- ♦ One group of Chinese (may be immigrant or native born)

Winnipeg

- ♦ One group of urban aboriginal adults (18-60 years). Includes status and non-status natives, metis, and Inuit. (Actual legal status of individuals will not be determined in screening).
- ♦ One group of "social intermediaries" including high school teachers, college and high school guidance counsellors, librarians, children's aid workers, family counsellors, social workers, and clergy who do individual or family counselling.

Vancouver

- ♦ One group of urban aboriginal adults (18-60 years). Includes status and non-status natives, metis, and Inuit. (Actual legal status of individuals will not be determined in screening).
- ♦ One group of adult working women whose family incomes are below the "poverty line", defined as follows:

Single person	- under \$12,000
Two-person family	- under \$16,000
Three person family	- under \$21,000
Four person family	- under \$24,000
Five person family	- under \$27,000
Six person family	- under \$30,000

Kamloops

- ♦ One group of aboriginal adults (18-60 years). Includes status and non-status natives, metis, and Inuit. (Actual legal status of individuals will not be determined in screening).
- ♦ One group of adult working women whose family incomes are below the "poverty line", defined as follows:

Single person	- under \$11,000
Two-person family	- under \$14,000
Three person family	- under \$18,000
Four person family	- under \$21,000
Five person family	- under \$24,000

Six person family - under \$27,000

- ♦ PMRS standards regarding frequency/recency of attending a focus group will be applied for recruiting all participants.

APPENDIX D

**PUBLIC LEGAL INFORMATION
AND EDUCATION**

GROUP COMPOSITION BY SEX

PUBLIC LEGAL EDUCATION AND INFORMATION FOCUS GROUPS

GROUP COMPOSITION BY SEX

Group #		Males	Females	Total
1	Toronto Immigrant Women	-	9*	9
2	Toronto Chinese	4	5	9
3	Montreal - Blacks	4	7	11
4	Montreal - Elderly Francophones	5	5	10
5	Halifax - Youth	5	4	9
6	Halifax - Under Poverty Line	3	6	9
7	Winnipeg - Urban Natives	3	6	9
8	Winnipeg - Social Intermediaries	2	7	9
9	Vancouver - Urban Natives	4	2	6
10	Vancouver - Working Poor Women	-	10*	10
11	Kamloops - Non-Urban Natives	4	5	9
12	Kamloops - Working Poor Women	-	10*	10
		34	76*	110
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* 29 female participants were from groups designed all-women.